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**DEPARTMENT OF EDUCATION**  
**Learning. Leadership. Service.**

South Dakota

Special Education Programs  
FFY 2005 – 2010  
State Performance Plan for Special Education

Office of Educational Services and Support  
Special Education Programs  
<http://doe.sd.gov/oess/specialed/index.asp>

Revised January 2008

## Table of Contents

Overview.....	3
Indicator 1: Graduation Rate.....	5
Indicator 2: Dropout Rate.....	11
Indicator 3: Participation and Performance on Assessments.....	15
Indicator 4: Rate of Suspension and Expulsion.....	26
Indicator 5: Placement of Children Age 6 -21.....	33
Indicator 6: Placement of Children Age 3-5.....	39
Indicator 7: Preschool Outcomes.....	44
Indicator 8: Parent Involvement.....	50
Indicator 9: Racial/Ethnic Disproportionality in Special Education.....	54
Indicator 10: Racial/Ethnic Disproportionality by Disability.....	61
Indicator 11: Evaluation Timeline.....	68
Indicator 12: Preschool Transition.....	72
Indicator 13: High School Transition.....	77
Indicator 14: High School Outcomes.....	80
Indicator 15: Timely Correction of Noncompliance.....	85
Indicator 16: Complaint Investigation Timeline.....	92
Indicator 17: Due Process Hearing Timeline.....	97
Indicator 18: Effective Resolution Sessions.....	104
Indicator 19: Effective Mediations.....	107
Indicator 20: Reporting Accuracy and Timelines.....	112
Appendix A: Post School Outcome Data Collection Form .....	115
Appendix B: Post School Outcome Survey .....	119

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

The South Dakota Part B State Performance Plan obtained broad stakeholder involvement throughout the process. This included:

- South Dakota's Special Education Programs Director attended the Office of Special Education Program's Summer Institute in Washington D.C. on August 10-12, 2005.
- Training on the State Performance Plan process for the Special Education Programs (SEP) staff, including the Special Education Programs Director and Educational Program Representatives, from the Mountain Plains Regional Resource Center in August 2005.
- Individuals in the Special Education Programs office were assigned to different indicators to collect and examine data.
- Identification of baseline data and materials necessary to complete the State Performance Plan.
- Collaboration with Part C Birth to 3 Connections state staff, Mountain Plains Regional Resource Center and Special Education Program Consultant to provide technical assistance on the process of developing the State Performance Plan.
- An initial task force work group was assembled to develop a draft State Performance Plan to be presented to the Governor's Advisory Panel for Children with Disabilities for their input. This work group consisted of 24 people representing Special Education Programs Personnel, Mountain Plains Regional Resource Center, Special Education Programs Consultant, higher education, local special education directors, education cooperatives, education service agencies, Transition Services Liaison Project, school psychologist association, the Council of Administrators of Special Education, Birth to 3 Connections, education specialists, and Children's Care Hospital and School. The work group met in September 2005. The specific tasks requested of task-force group were:
  - Consider baseline and trend data for each indicator where such information was available;
  - Assist in determining appropriate targets for each indicator where a target was required for the State Performance Plan;
  - Review the planned activities, timelines, and resources and provide input into the likely efficacy of the strategies proposed;
  - Suggest additional approaches for the Special Education Programs to consider including in the planned activities.
- In addition to the initial draft process undergone with the task-force group, the SPP was submitted to our broad stakeholder group, the Governor's Advisory Panel for Children

with Disabilities for their input, comments, and changes in October 2005. The Governor's Advisory Panel for Children with Disabilities is made up of parents of children with disabilities, individuals with disabilities, teachers, a representative from higher education, representatives from other state agencies, administrators, state and local officials, a representative dealing with transitional needs, and a representative from juvenile and adult corrections. A majority of the members are individuals with disabilities or parents of children with disabilities.

- Along with stakeholder input, Special Education Programs personnel have continually participated in OSEP and Mountain Plains Regional Resource Center's (MPRRC) conference calls to gain more knowledge about the SPP process and indicators. MPRRC has continued to assist Special Education Programs through calls and emails with this process. Special Education Programs staff plans to attend national and regional conferences on topics dealing with the State Performance Plan indicators in the future.
- To ensure statistically sound data, a minimum number (N) will be applied where appropriate. The necessity of applying a statistical analysis and a minimum N to certain target indicators was due to exceptionally small sample sizes. A minimum number large enough to provide both valid and reliable target determinations will be set for certain target indicators. South Dakota will be utilizing a minimum N to help ensure confidentiality of students in South Dakota public schools as well as to ensure statistically sound data. For all NCLB data South Dakota uses a minimum N of 10. Special Education Programs will follow South Dakota NCLB protocol.
- Following the submission of the State Performance Plan to the U.S. Department of Education, Special Education Programs will disseminate the State Performance Plan in the following ways:
  - Post the final version on the department website at <http://doe.sd.gov/oess/specialed/index.asp>
  - Alert constituency groups via existing list serves, email and workshops.
  - Presentation session at the State Council for Exceptional Children
  - South Dakota Parent Connection will announce publication of the Part B State Performance Plan on the Special Education Programs website in the newsletter "The Circuit" so parents can access it.
  - Hard copies will be provided to all Districts/Agencies, Advisory Panel members, and Education Specialists and any individual making a request for one.
  - Hard copies will also be made available for public review at Department of Education, Special Education Program office. Public notice about the availability of the State Performance Plan will be made in a press release to major South Dakota newspapers.
- Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the

South Dakota Department of Education  
Attn: Special Education Programs  
700 Governor's Drive  
Pierre, SD 57501

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE**

**Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.**

(20 U.S.C. 1416 (a)(3)(A))

**Measurement:**

**Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.**

**Overview of Issue/Description of System or Process:**Methodology for Calculating Graduation Rate:

South Dakota is currently building the database needed to calculate the graduation rate for all subgroups over a four year period based on the following schedule. School year 2002-2003 included 12<sup>th</sup> grade data only; school year 2003-2004 included 11<sup>th</sup> and 12<sup>th</sup> grade data; school year 2004-2005 included 10<sup>th</sup> through 12<sup>th</sup> grade data and in school year 2005-2006 full implementation with the inclusion of data for grades 9<sup>th</sup> through 12<sup>th</sup> grades.

The formula to be utilized is as follows:

$$\frac{\text{High School Completers in Year 4}}{\text{Dropouts (Gr 9, year 1 + Gr 10, year 2 + Gr 11, year 3 + Gr 12, year 4) + HS Completers, Year 4}}$$

This calculation is based on the recommendation of NCES in a publication "Public High School Dropouts and Completers from Common Core of Data: School Year 1998-99 through 1999-2000".

This rate will be reported and utilized for purposes of determining Adequate Yearly Progress for all students (in the aggregate) and reported for the disaggregated subgroups.

Definition of HS Completers (based on NCES recommendations):*High School Completers:*

- Diploma recipients – individuals who are awarded a high school diploma. This would not include students that may receive a non-standard diploma (e.g. a GED or certificate of completion).

Students with disabilities who complete the required coursework for graduation will receive a regular high school diploma. A student on an Individual Education Plan (IEP) who meets these

criteria will be counted as a high school completer. However, students who are on an IEP who do not graduate in the standard number of years and who do not meet all required coursework for graduation will not be considered a high school completer.

### Graduation Requirements

SD State Board of Education approved new graduation requirements at the November 15, 2004 meeting, but chose to delay implementation of the new standards until the 2006-2007 school year. Ninth graders entering high school in the fall of 2006 (graduates of 2010) will be the first class affected by the new requirements.

The new graduation requirements call for three curriculum paths -- currently referred to as Standard, Advanced and Distinguished.

- The Standard course of study includes raising the math requirement to three units, adding ½ unit of Physical Education or Health, ½ unit of World History, and ½ unit of Economics or Personal Finance. In addition, students will take two units of any combination of World Language, Computer Studies or Career and Technical Education courses.
- The Advanced path includes all of the changes noted above, but it designates that the three units of math must include Algebra 1, Algebra II and Geometry. It also increases the science requirement from two to three units, which must include Biology and Chemistry or Physics.
- The third path, called the Distinguished path, follows the course requirements that students need in order to be eligible for the South Dakota Opportunity Scholarship.

State law SDCL 13-33-19 requires all students to complete the recommended high school program, called the “Advanced” path, but if a parent (or legal guardian) and the school agree that the student should take the “Standard” or basic curriculum, parents may sign a form that will allow the student to graduate meeting the basic high school program.

### **Baseline Data for FFY 2004 (2004-2005):**

Graduation Rate of Students with Disabilities:	81.5%	[N = 540/663]
Graduation Rate for all Students	89.0%	[N = 8405/9440]

### **Discussion of Baseline Data:**

The graduation rate for 2004-2005 for students with disabilities was 81.5%. This rate dropped from 2003-2004 where the graduation rate for students with disabilities was 87.29%. The graduation rate for all students in 2004-2005 was 89.0%. This rate also was a decline from 92.3% in 2003-2004 for all students. The change in graduation rate was effected by the change in calculation as noted below:

- 2003/2004- the total number of graduates divided by the total number of graduates plus the previous years 11<sup>th</sup> grade drop outs and the current year's 12<sup>th</sup> grade dropouts
- 2004/2005- 10<sup>th</sup> grade was added to the calculation

- 2005/2006- 9<sup>th</sup> grade will be added to the calculation

Special Education Programs does expect a drop in graduation rate again for the upcoming 2005-2006 school year since all grades 9-12, will be included in the calculation for the first time. South Dakota will be using that data as our baseline data to build our measurable and rigorous targets.

Data on the graduation rate for 2004-2005 reflects students with disabilities are graduating at a similar, although slightly lower percentage as compared to non-disabled students. The rates, however, when compared to the 2003-2004 data, reflect a drop in rates of graduation, both overall and for special education students. This can be explained by the change in the calculation formula for graduation.

Because of South Dakota's change in the calculation formula for graduation, we believe that there will be a small decline in graduation rates in 2005-2006. This decline will occur due to the addition of 9<sup>th</sup> graders in the calculation for the 2005-2006 school year.

Although, the graduation rates will drop slightly in South Dakota for FFY 2005, South Dakota will still increase graduation rates for students with disabilities by FFY 2010.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	80% of youth with Individual Education Plans will graduate from high school with a regular diploma
2006 (2006-2007)	81% of youth with Individual Education Plans will graduate from high school with a regular diploma
2007 (2007-2008)	82% of youth with Individual Education Plans will graduate from high school with a regular diploma
2008 (2008-2009)	83% of youth with Individual Education Plans will graduate from high school with a regular diploma
2009 (2009-2010)	84% of youth with Individual Education Plans will graduate from high school with a regular diploma
2010 (2010-2011)	85% of youth with Individual Education Plans will graduate from high school with a regular diploma

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Identify districts that meet or exceed the states target for graduating students with disabilities.</li> <li>Evaluate what effective programs promote graduation and create a menu for districts to use that would be beneficial to their demographics.</li> </ul>	<p>Fall 2006 and on going through 2011</p> <p>Spring 2008 and ongoing</p>	<p>Special Education Programs staff, districts, Office of Finance and Management (OFM), Transition Services Liaison Project Staff, National Dropout Prevention Center, Institute of Education Sciences, NCLB,</p>
<ul style="list-style-type: none"> <li>Identify all districts that did not meet the state target for graduation.</li> <li>Provide technical assistance to districts shown with the lowest 5% of graduating students through coordinated set of transition activities.</li> </ul>	<p>Fall 2006 and annually through 2011</p> <p>Spring 2007 and ongoing</p>	<p>Special Education Programs staff, districts, Office of Finance and Management (OFM), Transition Services Liaison Project staff</p>
<ul style="list-style-type: none"> <li>Provide training on new graduation requirements and expectations for parents, staff and students concerning what course work is required in order for students with disabilities to graduate with a regular diploma. (Emphasize at the IEP meeting.)</li> </ul>	<p>October 2007 and on-going</p>	<p>Legal counsel, Special Education Programs, Office of Civil Rights, Special Education Advisory Panel, Board of Education, South Dakota Parent Connection, Transition Services Liaison Project, Parent Resource Network</p>
<ul style="list-style-type: none"> <li>Provide graduation and post-secondary planning activities for at risk middle school special education students.</li> </ul>	<p>Fall 2006 and ongoing through 2011</p>	<p>Transition Services Liaison Project staff, guidance counselors, Special Education Programs, district special education staff, Vocational Rehabilitation staff</p>
<ul style="list-style-type: none"> <li>Seek technical assistance from the National Dropout Prevention Center for Students with Disabilities (NDPC-SD) to develop technical assistance materials relevant to the</li> </ul>	<p>2006-2011</p>	<p>Special Education Programs staff</p>



Improvement Activities	Timelines	Resources
students with disabilities populations and disseminate to local districts.		
<ul style="list-style-type: none"> <li>Develop collaboration between high schools and post secondary schools to help special education students prepare for post secondary education through “Catch the Wave” conference.</li> </ul>	Spring 2006 and annually through 2011	Transition Services Liaison Project staff, Special Education Programs staff, Voc Rehab, post secondary school representatives
<ul style="list-style-type: none"> <li>Promote work experience through “Project Skills” program for HS special education students.</li> </ul>	2005-2011	Special Education Programs staff, districts, Voc Rehab, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Provide career leadership training through the Youth Leadership Forum for special education high school juniors and seniors to serve as delegates from their communities.</li> </ul>	Summer 2006 and annually through 2011	Special Education Programs staff, Voc Rehab, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Provide a “Summer Teacher Institute” annually. The institute is an in-depth transition to adulthood training designed specifically for high school special education teachers. The institute is held in conjunction with YLF.</li> </ul>	June 2006 and annually through 2011	Transition Services Liaison Project staff, Special Education Programs, Vocational Rehabilitation
<ul style="list-style-type: none"> <li>Technical Assistance and training on:               <ul style="list-style-type: none"> <li>Direct Instruction</li> <li>Positive Behavior Intervention Supports</li> </ul> </li> </ul>	Winter of 2007 and annually through 2011	Special Education Programs, Districts implementing PBIS,

<b>Improvement Activities</b>	<b>Timelines</b>	<b>Resources</b>
<ul style="list-style-type: none"><li>Disaggregate state level data by disability categories, ethnicity, and geographic regions and identify trends in data to inform improvement activities.</li></ul>	Fall 2007 and on-going	Special Education Programs, advisory panel and Office of Finance and Management

## Part B State Performance Plan (SPP) for 2005-2010

**Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE**

**Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.**

(20 U.S.C. 1416 (a)(3)(A))

**Measurement:**

**Measurement for youth with IEPs should be the same measurement as for all youth. Explain calculation.**

**Overview of Issue/Description of System or Process:**Definition of Drop-out

South Dakota Department of Education's Consolidated State Application Accountability workbook defines a dropout as:

An individual who

- Was enrolled in school at some time during the previous school year; and
- Was not enrolled at the beginning of the current school year; and
- Has not graduated from high school or completed a state or district approved educational program; and
- Does not meet any of the following exclusionary conditions:
  - Transfer to another public school district, private school, or state- or district-approved educational program (including correctional or health facility programs);
  - Temporary absence due to suspension or school-excused illness; or
  - Death.

This definition is used in South Dakota for all students grades nine through twelve.

The State maintains a statewide student information system, called SIMS Net (Student Information Management System), where student data records are stored in a centralized data warehouse. Each student has been assigned a unique identifier that contains student demographic information and has the capacity for tracking the status and location of each student. The districts electronically enter dropout information via the Student Information Management System (SIMS) throughout the school year.

**Baseline Data for FFY 2004 (2004-2005):**

- Special Education Youth Dropout rate: 5.03% [N = 4476/4713]
- All Youth Dropout rate: 3.57% [N = 42,873/44,458]

**Discussion of Baseline Data:**

The data collected for the 2004-2005 school year reflects students with disabilities are reported as drop-outs at a similar, although slightly higher percentage than non-disabled students.

- The data for computing special education dropout rate is gathered through an analysis of accumulated special education enrollment for grades 9-12 divided by the accumulated special education enrollment for grades 9-12 plus total special education drop outs reported for grades 9-12. Then the number derived is deducted from 100 percent to get the percent of special education dropouts for current year. Accumulated enrollment for special education included any students who were on an IEP during the school year.
- The data for computing all youth dropout rate is an analysis of accumulated enrollment for grades 9-12 divided by the accumulated enrollment for grades 9-12 plus total drop outs reported for grades 9-12.

The total percentage of students who are leaving school prior to obtaining a high school diploma continues to represent a small percentage of students, both in special education and those not in special education.

The definition of dropout is the same as the NCLB Accountability workbook.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	5% of students with disabilities are dropping out of high school.
2006 (2006-2007)	4.80% of students with disabilities are dropping out of high school.
2007 (2007-2008)	4.70% of students with disabilities are dropping out of high school.
2008 (2008-2009)	4.50% of students with disabilities are dropping out of high school.
2009 (2009-2010)	4.30% of students with disabilities are dropping out of high school.
2010 (2010-2011)	4% of students with disabilities are dropping out of high school.

**Improvement Activities/Timelines/Resources:**

<ul style="list-style-type: none"> <li>Identify districts that meet or exceed the states target for graduating students with disabilities.</li> <li>Evaluate what effective programs promote graduation and create a menu for districts to use that would be beneficial to their demographics.</li> </ul>	<p>Fall 2006 and on going through 2011</p> <p>Spring 2008 and ongoing</p>	<p>Special Education Programs staff, districts, Office of Finance and Management (OFM), Transition Services Liaison Project Staff, National Dropout Prevention Center, Institute of Education Sciences, NCLB,</p>
<ul style="list-style-type: none"> <li>Identify all districts that did not meet the state target for graduation.</li> <li>Provide technical assistance to districts shown with the lowest 5% of graduating students through coordinated set of transition activities.</li> </ul>	<p>Fall 2006 and annually through 2011</p> <p>Spring 2007 and ongoing</p>	<p>Special Education Programs staff, districts, Office of Finance and Management (OFM), Transition Services Liaison Project staff</p>
<ul style="list-style-type: none"> <li>Provide career planning activities for at risk middle school special education students.</li> </ul>	<p>Fall 2006 and ongoing through 2011</p>	<p>Transition Services Liaison Project staff, guidance counselors, Special Education Programs, district special education staff</p>
<ul style="list-style-type: none"> <li>Strategies to increase graduation rates and decrease drop out rates will be created and training implemented for students, parents, and teachers.</li> </ul>	<p>Spring 2007 and annually through 2011</p>	<p>Drop out center, Transition Services Liaison Project staff, Special Education Programs staff, Parent Connection, district staff</p>
<ul style="list-style-type: none"> <li>Set up a data base to be used by districts when entering student exit information.</li> </ul>	<p>Spring 2006</p>	<p>Special Education Programs staff, Bureau of Information &amp; Telecommunications (BIT)</p>

<ul style="list-style-type: none"> <li>Develop collaboration between high schools and post secondary schools to help special education students prepare for post secondary education through “Catch the Wave” conference.</li> </ul>	Spring 2006 and annually through 2011	Transition Services Liaison Project staff, Special Education Programs staff, Voc Rehab, post secondary school representatives
<ul style="list-style-type: none"> <li>Promote work experience through “Project Skills” program for HS special education students.</li> </ul>	2005-2011	Special Education Programs staff, district staff, Voc Rehab, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Provide career leadership training through the Youth Leadership Forum for special education high school juniors and seniors to serve as delegates from their communities.</li> </ul>	Summer 2006 and annually through 2011	Special Education Programs staff, Voc Rehab, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Develop a menu of effective strategies for reenrolling a student back into school.</li> </ul>	Fall 2007	National Dropout Prevention Center, Special Education Programs
<ul style="list-style-type: none"> <li>Provide a “Summer Teacher Institute” annually. The institute is an in-depth transition to adulthood training designed specifically for high school special education teachers. The institute is held in conjunction with YLF.</li> </ul>	June 2006 and annually through 2011	Transition Services Liaison Project staff, Special Education Programs, Vocational Rehabilitation
<ul style="list-style-type: none"> <li>Technical Assistance and training on:                             <ul style="list-style-type: none"> <li>Direct Instruction</li> <li>Positive Behavior Intervention Supports</li> </ul> </li> </ul>	Winter of 2007 and annually through 2011	Special Education Programs, Districts implementing PBIS,

## Part B State Performance Plan (SPP) for 2005-2010

## Overview of the State Performance Plan Development:

See page 1 of the State Performance Plan.

## Monitoring Priority: FAPE in the LRE

## Indicator 3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts meeting the State's AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

## Measurement:

A. Percent = # of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the State times 100.

B. Participation rate =

- a. # of children with IEPs in grades assessed;
- b. # of children with IEPs in regular assessment with no accommodations (percent = b divided by a times 100);
- c. # of children with IEPs in regular assessment with accommodations (percent = c divided by a times 100);
- d. # of children with IEPs in alternate assessment against grade level standards (percent = d divided by a times 100); and
- e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = e divided by a times 100).

Account for any children included in a but not included in b, c, d, or e above

Overall Percent = b + c + d + e divided by a.

C. Proficiency rate =

- a. # of children with IEPs in grades assessed;

- b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations (percent = b divided by a times 100);
- c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations (percent = c divided by a times 100);
- d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards (percent = d divided by a times 100); and
- e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards (percent = e divided by a times 100).

**Overall Percent = b + c + d + e divided by a.**

### Overview of Issue/Description of System or Process:

The State's Adequate Yearly Progress (AYP) system process is aligned with NCLB and IDEA 2004 and includes state measurements of total population and all subgroups using a standardized test, setting cut scores, rigorous target goals, and measurement of yearly progress and reporting the progress to the public.

South Dakota will hold schools and districts accountable for having 100% of the students reach proficiency by 2013-14. Starting points, intermediate goals, and Annual Measurable Objectives will be calculated separately for two grade spans—high schools (schools that enroll students in grade 12) and elementary/middle schools, and for districts /State. Every subgroup, school, and district grade span in the state will be accountable for meeting the high school or elementary/middle school Annual Measurable Objectives.

The starting point for reading was recalculated July 2005 to reflect changes in academic content and achievement standards as well as the assessment for reading. Annual Measurable Objectives were also recalculated, preserving the 100% proficiency requirement no later than the 2013-2014 school year. Likewise, the starting point for mathematics will be recalculated June 2006 to reflect the revisions to the mathematics content and achievement standards as well as the assessment for math. Annual Measurable Objectives for math will then be recalculated.

### Annual measurable objectives for each grade span and subject area:

School Year	K-8		9-12	
	Reading	Math	Reading	Math
2002-2003	65%	45%	50%	60%
2003-2004	65%	45%	50%	60%
2004-2005	78%	54%	66%	67%
2005-2006	78%	65%	66%	54%
2006-2007	82%	65%	72%	54%
2007-2008	82%	72%	72%	63%
2008-2009	82%	72%	72%	63%
2009-2010	86%	72%	77%	63%
2010-2011	90%	79%	83%	72%



## SPP Template – Part B (3)

## South Dakota State

2011-2012	94%	86%	89%	81%
2012-2013	96%	93%	94%	90%
2013-2014	100%	100%	100%	100%

### Baseline Data for FFY 2004 (2004-2005):

Data has been retrieved using 3 years of standardized test data analysis which results in the following baselines. Baseline data for 2004-2005 will be available sometime in December. As soon as the data is available indicator 3 will be revised and updated. This will occur before January 5, 2006.

### Districts Meeting Adequate Yearly Progress (AYP) for students with disabilities

Year	Total Number of Districts	Districts meeting AYP status for students with disabilities in Reading	Percent of districts meeting AYP status for students with disabilities in Reading	Districts meeting AYP status for students with disabilities in Math	Percent of districts meeting AYP status for students with disabilities in Math
04-05	165	165	100%	165	100%
05-06	165	163	98.79%	161	97.58%

### Participation Rate

	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
<b>2004-2005 Reading</b>								
Grade 3	824	923	13	76	9	1836	1845	99.51%
Grade 4	682	977	13	51	3	1723	1726	99.83%
Grade 5	575	930	14	59	5	1578	1583	99.68%
Grade 6	500	904	10	65	5	1479	1484	99.66%
Grade 7	407	960	7	70	4	1444	1448	99.72%
Grade 8	335	891	9	82	11	1317	1328	99.17%
Grade 11	252	476	9	48	10	785	795	98.74%
Total All Grades Assessed	3575	6061	75	451	47	10162	10209	99.54%

# SPP Template – Part B (3)

# South Dakota State

<b>2004-2005 Math</b>	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
Grade 3	825	922	13	76	9	1836	1845	99.51%
Grade 4	681	978	13	51	3	1723	1726	99.83%
Grade 5	574	931	14	59	5	1578	1583	99.68%
Grade 6	500	904	10	65	5	1479	1484	99.66%
Grade 7	407	960	7	70	4	1444	1448	99.72%
Grade 8	336	890	9	82	11	1317	1328	99.17%
Grade 11	252	476	9	48	10	785	795	98.74%
Total All Grades Assessed	3575	6061	75	451	47	10162	10209	99.54%

<b>2005-2006 Reading</b>	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
Grade 3	997	661	NA	63	14	1721	1735	99.19%
Grade 4	714	720	NA	90	7	1524	1531	99.54%
Grade 5	635	657	NA	80	3	1372	1375	99.78%
Grade 6	458	686	NA	91	10	1235	1245	99.20%
Grade 7	439	724	NA	82	11	1245	1256	99.12%
Grade 8	398	691	NA	78	13	1167	1180	98.90%
Grade 11	319	338	NA	80	24	737	761	96.85%
Total All Grades Assessed	3960	4477	NA	564	82	9001	9083	99.10%

# SPP Template – Part B (3)

South Dakota  
State

2005-2006 Math	Children with IEPs in regular assessment without accommodations	Children with IEPs in regular assessment with accommodations	Children with IEPs in Alternate Assessment against Grade Level Standards	Children with IEPs in Alternate Assessment against Alternate Standards	Children not assessed due to Absence	Total Children with IEPs Assessed	Total Children with IEPs	Percent of students with IEPs Assessed
Grade 3	1000	663	NA	63	9	1726	1735	99.48%
Grade 4	714	722	NA	90	5	1526	1531	99.67%
Grade 5	634	658	NA	80	3	1372	1375	99.78%
Grade 6	458	686	NA	91	10	1235	1245	99.20%
Grade 7	439	724	NA	82	11	1245	1256	99.12%
Grade 8	399	691	NA	78	12	1168	1180	98.98%
Grade 11	319	337	NA	80	25	736	761	96.71%
Total All Grades Assessed	3963	4481	NA	564	75	9008	9083	99.17%

## Proficiency Rate:

2004-2005	Reading			Math		
	K-8	9-12	Combined Total	K-8	9-12	Combined Total
Special Ed. Students Proficient on Regular Assessment without Accommodations and Special Ed. Students Proficient on Regular Assessment with Accommodations	4663	152	4815	3735	159	3894
Special Ed. Students Proficient on Alternate against grade level	0	0	0	0	0	0
Special Ed. Students Proficient on Alternate against alternate	296	29	325	289	35	324
<b>Total Number of Special Ed. Students Proficient</b>	4959	181	5140	4024	86	4110
<b>Total Number of Special Ed. Students</b>	9377	785	10162	9377	785	10162
<b>Percent of Special Ed. Students Proficient</b>	52.88%	23.06%	50.58%	42.91%	10.96%	40.44%

2005-2006	Reading			Math		
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	K-8	9-12	Combined Total	K-8	9-12	Combined Total
Special Ed. Students Proficient on Regular Assessment without Accommodations	317	51	368	825	0	825
Special Ed. Students Proficient on Regular Assessment with Accommodations	3899	76	3975	2390	75	2465
Special Ed. Students Proficient on Alternate against grade level	NA	NA	NA	NA	NA	NA
Special Ed. Students Proficient on Alternate against alternate	170	28	198	98	11	109
<b>Total Number of Special Ed. Students Proficient</b>	4386	155	4541	3313	86	3399
<b>Total Number of Special Ed. Students</b>	8264	737	9001	8272	736	9008
<b>Percent of Special Ed. Students Proficient</b>	53.07%	21.03%	50.45%	40.05%	11.68%	37.73%

**Discussion of Baseline Data:**

In 04-05, students with significant cognitive disabilities were tested using an alternate assessment aligned with alternate achievement descriptors. The state was able to measure their proficiency level against alternate achievement descriptors and thereby identifying some of those students as proficient for Adequate Yearly Progress calculations.

The State of South Dakota demonstrates a high rate of participation by children of disabilities in the state testing program according to the baseline data. The participation rate for students with disabilities has consistently been 97% for the past three years. Proficiency rates in math and reading prior to 2004-2005 did not allow proficiency measurement for students in alternate assessments. The number and percent of students with disabilities who were proficient or advanced in reading and math have been increasing since the implementation of the accountability model for NCLB. South Dakota continues to strive for increasing the achievement of students with disabilities in statewide assessment.

Data from state trends and national trends were used as rationale for setting target goals. Based on national averages, South Dakota continues to score above average in proficiency levels in the disability subgroup. The 6 year target goals and annual increments were determined by using the annual measurable objectives for each grade span and subject area from the NCLB accountability workbook.

FFY	Measurable and Rigorous Target		
2005 (2005-2006)	Indicators		Reading
	Districts meeting AYP in disability subgroup		Math
	Participation rate for students with disabilities		
	Proficiency rate for students with disabilities	K-8	
		9-12	
2006 (2006-2007)	Indicators		Reading
	Districts meeting AYP in disability subgroup		Math
	Participation rate for students with disabilities		
	Proficiency rate for students with disabilities	K-8	
		9-12	
2007 (2007-2008)	Indicators		Reading
	Districts meeting AYP in disability subgroup		Math
	Participation rate for students with		

# SPP Template – Part B (3)

South Dakota  
State

	disabilities			
	Proficiency rate for students with disabilities	K-8	82%	72%
		9-12	72%	63%
2008 (2008-2009)	Indicators		Reading	Math
	Districts meeting AYP in disability subgroup		98.5%	98.5%
	Participation rate for students with disabilities		99.2%.	99.2%.
	Proficiency rate for students with disabilities	K-8	82%	72%
		9-12	72%	63%
2009 (2009-2010)	Indicators		Reading	Math
	Districts meeting AYP in disability subgroup		99%	99%
	Participation rate for students with disabilities		99.7%.	99.6%.
	Proficiency rate for students with disabilities	K-8	86%	72%
		9-12	77%	63%
2010 (2010-2011)	Indicators		Reading	Math

	Districts meeting AYP in disability subgroup		100%	100%
	Participation rate for students with disabilities		100%.	100%.
	Proficiency rate for students with disabilities	K-8	90%	79%
		9-12	83%	72%

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Special Education Programs will conduct annual analysis of student participation and proficiency rates as measured by Dakota STEP and Dakota STEP-A. <ul style="list-style-type: none"> <li>This annual analysis will be used to identify problems and target technical assistance to districts</li> </ul> </li> </ul>	July 2006 – 2011	Technical assistance with National Center for Special Education Accountability & Monitoring (NCSEAM), Special Education Programs staff training
<ul style="list-style-type: none"> <li>Professional development activities will be provided on aligning instruction to state standards, developing rigorous curriculum to meet those standards.</li> </ul>	October 2005 & January 2006 and on going through 2011	Mountain Plains Regional Resource Center (MPRRC), Access Center, Special Education Programs Staff
<ul style="list-style-type: none"> <li>Federal, state, and district</li> </ul>	Fall 2006 and on going	MPRRC, Access Center,

## SPP Template – Part B (3)

## South Dakota

State

funding will be used for professional development to ensure instructors are highly qualified and trained in scientifically based researched materials, practices and programs.	through 2011	Special Education Programs Staff, Office of Curriculum Technology & Assessment (OCTA)
<ul style="list-style-type: none"> <li>Educational Service Agency (ESA) systems comprised of seven regions throughout the state will focus on providing school improvement in the areas of reading and math.</li> </ul>	2006 and on going through 2011	Special Education Programs staff, Education Service Agency Coordinators, OCTA
<ul style="list-style-type: none"> <li>Examine new regulations on 2% or modified assessment.</li> </ul>	Upon passage of final regulations and the state approved peer reviewed assessment system.	Special Education Programs
<ul style="list-style-type: none"> <li>Begin development of modified achievement descriptors if the state elects to develop a modified assessment.</li> </ul>	Upon passage of final regulations and the state approved peer reviewed assessment system.	Special Education Programs, Curriculum Consultant, local special education teachers
<ul style="list-style-type: none"> <li>Collect and analyze data on statewide assessments.</li> </ul>	Fall 2008	Special Education Programs, Office of Finance and Management
<ul style="list-style-type: none"> <li>Revise activities and targets</li> </ul>	Fall 2008	Special Education Programs
<ul style="list-style-type: none"> <li>Develop a Train the Trainer module for instructional and assessment accommodations.</li> <li>Conduct Train the Trainer workshop on instructional and assessment accommodations.</li> </ul>	<p>Fall 2006</p> <p>Fall 2006 and ongoing</p>	Special Education Programs
<ul style="list-style-type: none"> <li>Conduct an accommodation study to verify IEP teams are providing instructional</li> </ul>	Spring and Summer of 2007	Peer Review Committee, Testing Advisory Council, Special Education Programs



## SPP Template – Part B (3)

**South Dakota**  
State

accommodations if they are also providing those accommodation on statewide assessment.		staff
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## Part B State Performance Plan (SPP) for 2005-2010

**Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE****Indicator 4: Rates of suspension and expulsion:**

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and**

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

**Measurement:**

- A. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by # of districts in the State times 100.**  
**Include State's definition of "significant discrepancy."**

**Overview of Issue/Description of System or Process:**

South Dakota has reviewed the Suspension/Expulsion data for FFY 2005. Special Education Programs has established the following new definition of "significant discrepancy" for suspension/expulsion for FFY 2005:

**Indicator 4**

South Dakota's definition of significant discrepancy for part A means more than 5% of the unduplicated students with disabilities at the district level with 2 or more students included in the numerator and the district child count included in the denominator.

Students with disabilities suspended or expelled at the district

÷

Child Count at the district

For Indicator 4 Special Education Programs used the 2005-2006 data to compare the rates of students with disabilities (SWD) among the districts in the State to determine if significant discrepancies were occurring.

**Baseline Data for FFY 2004 (2004-2005):**

A.

## SPP Template – Part B (3)

## South Dakota State

1.80% of districts were identified by the South Dakota as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.

3 districts /167 total districts = 1.80%

Baseline data for FFY 2004 is 1.80%.

### Discussion of Part A:

- A. .6% of the districts in South Dakota had suspension rates of greater than 5% of their population of special education students.

The change in South Dakota's definition of significant discrepancy makes longitudinal analysis unfeasible for FFY 2004.

Special Education Programs compared the rates of students with disabilities (SWD) among the districts in the State to determine if significant discrepancies were occurring. Please see the chart below.

District	Out of School 10 or greater	Total Child Count	Percentage	Met significant discrepancy
District A	1	376	0.27%	No
District B	1	373	0.27%	No
District C	8	1763	0.45%	No
District D	1	114	0.88%	No
District E	1	89	1.12%	No
District F	2	169	1.18%	No
District G	1	85	1.18%	No
District H	1	73	1.37%	No

## SPP Template – Part B (3)

## South Dakota State

District I	1	73	1.37%	No
District J	2	85	2.35%	No
District K	28	347	8.07%	Yes
Total	47	3547	1.3%	

In comparing statewide data, students with disabilities have a suspension and expulsion rate of .06%. Using Special Education Programs definition of significant discrepancy one district out of 167 total districts meets the criteria for having a significant discrepancy in the rate of long-term suspensions and expulsions of students with disabilities. The districts can be seen highlighted in yellow above representing students with disabilities.

The district with significant discrepancies in suspension and expulsion rates for students with disabilities will be identified and will be required to analyze the district suspension/expulsion reporting procedures as well as reviewing the district policies, procedures and practices relating to implementation of Individualized Education Plans, procedural safeguards, and the use of positive behavioral interventions. The districts with significant discrepancies will hold a joint meeting with Special Education Programs to discuss district policies, procedures and practices. After review with Special Education Programs, if required the district will devise a plan to address the significant discrepancies with follow-up from Special Education Programs.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	A) 1.80% of districts with suspension rates > 5% of their students with disabilities population
2006 (2006-2007)	A) 1.80% of districts with suspension rates > 5% of their students with disabilities population.
2007 (2007-2008)	A) 1.20% of districts with suspension rates > 5% of their students with disabilities population

2008 (2008-2009)	A) 1.20% of districts with suspension rates > 5% of their students with disabilities population
2009 (2009-2010)	A) 0.6% of districts with suspension rates > 5% of their students with disabilities population
2010 (2010-2011)	A) 0.6% of districts with suspension rates > 5% of their students with disabilities population

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Revise our suspension and expulsion data collection to include race and ethnicity for non-disabled students</li> <li>As data collection changes, SEP will update existing data collection to meet reporting requirement.</li> </ul>	April 2006 and ongoing as needed for data collection reporting requirements change.	Special Education Programs staff, Factor 360 staff, Office of Finance and Management staff
<ul style="list-style-type: none"> <li>Identify all districts with significant discrepancies and have the districts complete an analysis tool to identify reasons</li> </ul>	January 2006 and on going annually through 2011	Special Education Programs staff, district staff

Improvement Activities	Timelines	Resources
for significant discrepancies.		
<ul style="list-style-type: none"> <li>All districts with significant discrepancies will review their policies, procedures, and practices in the district comprehensive plan.</li> </ul>	February 2006 and on going annually through 2011	Special Education Programs staff, district staff
<ul style="list-style-type: none"> <li>Conduct professional development on the use of positive behavioral interventions and supports for all districts showing significant discrepancy.</li> </ul>	October 2005 / on going through 2011	Special Education Programs staff, Sopris West
<ul style="list-style-type: none"> <li>Examine the analysis tool to identify reoccurring reasons for suspension and expulsions.</li> </ul>	January 2007	Special Education Programs
<ul style="list-style-type: none"> <li>Target the areas of concern by providing professional development opportunities and updating technical assistance information to districts.</li> </ul>	Summer 2007 - 2011	Special Education Programs, Sopris West
<ul style="list-style-type: none"> <li>Form a partnership with Title programs to identify districts with significant discrepancies in both programs. Collaborate to provide Technical Assistance to identified districts.</li> </ul>	Summer 2007- 2011	Special Education Programs, Title programs

## Part B State Performance Plan (SPP) for 2005-2010

**Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE****Indicator 5: Percent of children with IEPs aged 6 through 21:**

- A. Removed from regular class less than 21% of the day;**
- B. Removed from regular class greater than 60% of the day; or**
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.**

(20 U.S.C. 1416(a)(3)(A))

**Measurement:**

- A. Percent = # of children with IEPs removed from regular class less than 21% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.**
- B. Percent = # of children with IEPs removed from regular class greater than 60% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.**
- C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.**

**Overview of Issue/Description of System or Process:**

During the Individual Education Program (IEP) process, the IEP team determines that appropriate goals and objectives have been written, students are placed in the least restrictive environment according to the amount of time they are removed from the regular classroom setting. As part of the Continuous Improvement Monitoring Process (CIMP) Self-Assessment districts review their policies and IEP procedures to ensure that placement is occurring in the least restrictive environment through the following questions:

- \_\_\_\_ Placement in a specific special education program on the continuum of least restrictive environments (LRE) is determined after the support system for the child is designed.

- \_\_\_\_ Removal from the general education environment occurs only when the nature or severity of the disability is such that education in general classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- \_\_\_\_ The school district provides an explanation of the extent, if any, to which the child will not participate in the general education classroom, the general education curriculum, or extracurricular or other nonacademic activities.
- \_\_\_\_ Consent from the parent is obtained prior to the initial provision of special education and related services to a student with disability.
- \_\_\_\_ Children with disabilities are educated with children who are not disabled to the maximum extent appropriate;
- \_\_\_\_ Children with disabilities are enrolled in the school he or she would attend if nondisabled, unless the IEP requires another placement;
- \_\_\_\_ Removal from education in age-appropriate general classrooms is not done solely because of needed modifications in the general curriculum;
- \_\_\_\_ The setting is determined after the needs, goals, and objectives for the children are determined;
- \_\_\_\_ An array of services or a continuum of alternative placement options are available to meet the individual needs of each child;
- \_\_\_\_ Placement decisions are made individually for each child;
- \_\_\_\_ Consideration is given to any potentially harmful effects of the placement on the student or on the quality of services;
- \_\_\_\_ The placement allows the child to participate with children without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate;
- \_\_\_\_ Special classes, separate schooling, or other removal from the general education classroom environment occurs only when the nature or severity of the disability is such that education in general classes cannot be achieved satisfactorily

The above Least Restrictive Environment (LRE) issues are then checked during the monitoring cycle. Onsite monitoring at the district level is conducted on a 5 year cycle. Districts annually submit placement data electronically through the Student Information Management Systems.

#### Baseline Data for FFY 2004 (2004-2005):

A. Removed less than 21% of the day	63%
B. Removed greater than 60% of the day	6%
C. Served in separate schools, residential placement, or home/hospital	4.5%

Special Education Placement Data – Ages 6-21		
School Age (ages 6-21) Settings		
	2004-2005	
Regular classroom with modifications	9,371	63%
	3,862	26%



Resource Room		
Self-contained classroom	959	6%
Day program	266	1.8%
24-hour program	381	2.6%
Home /hospital	20	.1%
Total # of children	14,859	

**Discussion of Baseline Data:**

The data table above shows special education placement for students with disabilities ages 6 – 21. The percentage of students served in the regular classroom with modifications was 63% for the 2004-2005 school year. This setting has students with disabilities removed from the regular classroom setting less than 21% of the school day. Students with disabilities in the Self-contained classroom setting are removed from the regular classroom setting for more than 60% of the school day. 6% of South Dakota's students with disabilities are in this setting. South Dakota students with disabilities served in separate schools, residential placement, or a home/hospital setting make up 4.5% of the placements for 2004-2005.

- South Dakota is a very rural state and as a result, many school districts do not have resources available to handle extreme students. Many of our programs dealing with high needs students are located in two areas, the southeastern and southwestern part of the state where the state's largest population areas are located.
- South Dakota's Separate placement categories are 4.5% for 2004-2005. This is an area that Special Education Programs will be looking at over the coming year.
- South Dakota has been working to make sure that child find efforts are comprehensive statewide.
- Special Education Programs has worked with the University of South Dakota Center for Disabilities in funding intensive training in both autism and fetal alcohol spectrum disorders for school district personnel.
- Special Education Programs has also worked with Black Hills Special Services Cooperative to provide services that meet the needs of students identified with autism in western South Dakota.
- Some rural school districts have difficulty attracting highly qualified special education personnel and positions are open throughout the school year. For 2004-2005 school year there were 3031.20 special education personnel positions, 91.99 were contracted, 51.42 were non-authorized, 12.03 non-certified, along with 11 vacancies. When a student with an exceptional need comes into a small rural school district, the district may often have a difficult time hiring staff for the child who would be qualified to meet their needs. Special classes, separate schooling, or other removal from the general education classroom environment occurs only when the nature or severity of the disability is such that education in general classes cannot be achieved satisfactorily in the district. The IEP team only looks to place a student outside of their local district if the district can not provide the services or programs the student may need. South Dakota Special Education Programs will work to

decrease this percentage through collaboration with the Office of Accreditation and Teacher Quality, higher education and continued support for school districts within the state.

According to the national average, South Dakota is ranked one of the top 10 states for placing students in the regular classroom who are removed from the regular classroom less than 21% of the day.

South Dakota will promote movement in the least restrictive environment by increasing the percentage of students in the regular classroom setting and decreasing the percentage of students in placements outside the regular classroom setting.

- Column A represents the percentage of students who are removed from regular education classroom less than 21% of the day.
- Column B represents the percentage of students who are removed from the regular education classroom greater than 60% of the day.
- Column C represents the percentage of students who are in public or private separate schools, residential placements, or homebound or hospital placements.

FFY	Measurable and Rigorous Target		
2005 (2005-2006)	A. <21	B. >60	C. Separate
	64%	7%	4.3%
2006 (2006-2007)	64%	7%	4.3%
2007 (2007-2008)	65%	6.5%	4.0%
2008 (2008-2009)	65%	6.5%	4.0%
2009 (2009-2010)	65%	6.5%	4.0%
2010 (2010-	66%	6%	3.8%

2011)

**Improvement Activities/Timelines/Resources:**

Activities	Timeline	Resources
<ul style="list-style-type: none"> <li>Identify the 5% of districts that have the lowest regular classroom setting percentage.</li> </ul>	Summer 2006 and annually through 2011	Office of Finance and Management, National Center for Special Education Accountability and Monitoring, Special Education Programs staff
<ul style="list-style-type: none"> <li>Provide training opportunities for the general classroom educators in identified districts, along with all districts, concerning modifications and accommodations, teaching strategies and disability awareness training.</li> </ul>	Fall 2006  On-going through 2011	University Training Programs, Special Education Programs, Educational Service Agency, Title, Office of Curriculum Technology and Assessment (OCTA)
<ul style="list-style-type: none"> <li>Provide training opportunities for special education teachers in identified districts, along with all districts, on the process of the justification of placements and necessity of the Least Restrictive Environment.</li> </ul>	Fall and winter 2006 – 2007  and on going annually through 2011	Education Service Agency, Special Education Programs, University Training Programs
<ul style="list-style-type: none"> <li>Train SIMS data person at the district level for Special Education</li> </ul>	Spring 2006 and On-going through 2011	SIMS person, Special Education Programs, Office of Finance and Management
<ul style="list-style-type: none"> <li>Conduct training workshops for special education personnel how to deal with behavioral and emotional disturbed students.</li> </ul>	Summer 2007/on-going through 2011	Special Education Programs, Crisis Prevention Institute
<ul style="list-style-type: none"> <li>Evaluate training of general and special education personnel and staff to decrease self-contained and separate placement</li> </ul>	Summer 2008 and Summer 2010.	Special Education Programs, district staff

and increase regular classroom placement with accommodations and modifications.		
<ul style="list-style-type: none"> <li>Work with districts to help recruit special education personnel in rural areas to work with students who have low incidence disabilities.</li> </ul>	Summer 2008/ on-going through 2010	Special Education Programs, South Dakota Higher Education, Teacher Quality
<ul style="list-style-type: none"> <li>Develop and implement a special education endorsement which can be available to all teachers in South Dakota.</li> </ul>	Spring 2006/ ongoing through 2010	Special Education Programs, Special Education Endorsement Taskforce, Teacher Quality

## Part B State Performance Plan (SPP) for 2005-2010

## Overview of the State Performance Plan Development:

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE**

**Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).**

(20 U.S.C. 1416(a)(3)(A))

**Measurement:**

**Percent = # of preschool children with IEPs who received all special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100.**

**Overview of Issue/Description of System or Process:**

Each school district reports through the Student Information Management System (SIMS) annually using the December 1 child count. The SIMS is the statewide online system used to collect information about all students in South Dakota schools. Districts submit data through the student data records. Each student has a 9 digit unique student identifier number. The unique student identifier number allows the SIMS system to collect and sort data without duplication errors. Each school district in South Dakota has a SIMS coordinator in place. The SIMS coordinator attends yearly training on the SIMS system.

During the Individual Education Plan (IEP) process, the IEP team determines that children who are in the Part B 619 program are served in the least restrictive environment. As part of the Continuous Improvement Monitoring Process (CIMP) Self-Assessment, districts review their policies and IEP procedures to ensure that placement is occurring in the least restrictive environment through the following questions:

- District procedures are in place for the smooth transition of children participating in the early intervention program who are eligible for participation in preschool programs under Part B. These procedures include all elements from ARSD 24:14:13:05. Transition from early intervention program.
- The district comprehensive plan has procedures in place to address the transition of children to the Part B program.
- All least restrictive environment (LRE) considerations are applied to preschool children with disabilities.

- If the school district/agency does not operate preschool programs for non-disabled children, the school district/agency meets the individual needs of preschool children with disabilities in LRE by providing some alternative settings, such as:
  - providing opportunities for participation in programs operated by other agencies;
  - placing preschool students in private school programs; and/or
  - locating classes for preschool children in elementary schools.

The above LRE questions are then validated during the monitoring cycle. Onsite monitoring for a district is conducted on a 5 year cycle. Districts annually submit placement data information electronically through the Student Information Management Systems.

#### Baseline Data for FFY 2004 (2004-2005):

51% of preschool children with Individual Education Plans received special education and related services in settings with typically developing peers.

$$1403 / 2776 = 51\%$$

Special Education Placement Data- Ages 3-5	
Early Childhood Settings	Year
	2004-2005
Home	Actual Numbers
	56
Early Childhood Setting	450
Part-time early childhood/ part-time early childhood special education	897
Total # of children	2776
Percent of Preschool children with IEPs who received special education and related services in settings with typically developing peers	51%

#### Discussion of Baseline Data:

- South Dakota has 51% of the preschool children on Individual Education Programs receiving special education and related services in settings with typically developing peers.
  - The home setting is for children who receive all of their special education and related services in the principle residence of the child's family or caregiver.
  - The early childhood setting is for children who receive all of their special education and related services in educational programs designed primarily for children without disabilities. In South Dakota this includes the regular kindergarten classroom, public or private preschools, Head Start, child care facilities, or a combination of two of the above settings.
  - The part-time early childhood/part-time early childhood special education setting is for children who receive services in multiple settings such that 1). A portion of their special education and related services are provided at home or in educational programs designed primarily for children without disabilities; and 2). The remainder of their special education and related services are provided in programs designed primarily for children with disabilities. In South Dakota this may include; home/early childhood special education combinations, Head-Start, child care, nursery school facilities, or other community-based settings with special education provided outside the regular class, regular kindergarten classes with special education provided outside the regular class, etc.
- Regular education preschool programs are not required in South Dakota.
- Due to our rural nature and sparse population in many areas of the state, Head Start may be one of the options available in many areas.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 52%.
2006 (2006-2007)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 52.5%.
2007 (2007-2008)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 53%.
2008 (2008-2009)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 54%.

2009 (2009-2010)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 55%.
2010 (2010-2011)	South Dakota will increase the percentage of preschool children with IEPs who receive special education and related services in settings with typically developing peers to 55.6%.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>A Technical Assistance document will be sent to every district in the state defining Least Restrictive Environment options and SIMS codes for early childhood settings.</li> </ul>	Summer 2006	Special Education Programs, Mountain Plains Regional Resource Center (MPRRC), National Early Childhood Technical assistance Center (NECTAC)
<ul style="list-style-type: none"> <li>Training on appropriate early childhood least restrictive environment options.</li> <li>Districts will disaggregate data on 04-05 preschool special education children as a part of this effort.</li> </ul>	2006/2007 school year; on going through 2011	Special Education Programs and Educational Service Agencies (ESA), Mountain Plains Regional Resource Center (MPRRC), National Early Childhood Technical Assistance Center (NECTAC)
<ul style="list-style-type: none"> <li>Develop a survey to send to districts to determine what preschool options are available in their districts.</li> <li>Collect and tabulate the information to be used by Special Education Programs for data comparison.</li> </ul>	Summer 2006 through 2007	Special Education Programs staff, districts



<ul style="list-style-type: none"><li>• Data will be disaggregated at the district level.</li><li>• Disseminate information on the percent of preschool children with IEPs who receive special education and related services in settings with typically developing peers for each district and show their comparison to the state target.</li></ul>	Summer 2006 and annually through 2011	Special Education Programs, Office of Finance and Management
<ul style="list-style-type: none"><li>• Collaborate with South Dakota Department of Education Early Childhood Workgroup focusing on preschool initiatives.</li></ul>	2006 and ongoing	Headstart, SD DOE, Special Education Programs

## Part B State Performance Plan (SPP) for 2005-2010

## Overview of the State Performance Plan Development:

See page 1 of the State Performance Plan.

## Monitoring Priority: FAPE in the LRE

## Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

## Measurement:

## A. Positive social-emotional skills (including social relationships):

- a. Percent of preschool children who did not improve functioning =  $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers =  $[(\# \text{ of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it =  $[(\# \text{ of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers =  $[(\# \text{ of preschool children who improved functioning to reach a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers =  $[(\# \text{ of preschool children who maintained functioning at a level comparable to same-aged peers}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .

If a + b + c + d + e does not sum to 100%, explain the difference.

## B. Acquisition and use of knowledge and skills (including early language/communication and early literacy):

- a. Percent of preschool children who did not improve functioning =  $[(\# \text{ of preschool children who did not improve functioning}) \div (\# \text{ of preschool children with IEPs assessed})] \times 100$ .

preschool children with IEPs assessed)] times 100.

- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

**C. Use of appropriate behaviors to meet their needs:**

- a. Percent of preschool children who did not improve functioning = [(# of preschool children who did not improve functioning) divided by the (# of preschool children with IEPs assessed)] times 100.
- b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers = [(# of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it = [(# of preschool children who improved functioning to a level nearer to same-aged peers but did not reach it) divided by the (# of preschool children with IEPs assessed)] times 100.
- d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers = [(# of preschool children who improved functioning to reach a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.
- e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers = [(# of preschool children who maintained functioning at a level comparable to same-aged peers) divided by the (# of preschool children with IEPs assessed)] times 100.

If a + b + c + d + e does not sum to 100%, explain the difference.

**Overview of Issue/Description of System or Process:**

In Part C, South Dakota currently evaluates all children in all 5 areas of development. Part C Birth to 3 Connections program began efforts to measure improvement in the five

developmental areas (cognitive development, physical development including vision and hearing, communication development, social or emotional development, and adaptive development) in 2003. The program has been keeping track of the test scores in the developmental areas in the state database.

Beginning in March 2006 when children enter the Part B system South Dakota will administer a post test in all 5 areas of development upon exiting Part C. Currently when a child exits the Birth to 3 Connections program, the child is tested only in the area(s) of concern per Part B rules and regulations. The exit data for Part C will become the baseline data for children who become eligible for Part B. Children who enter the Part B (619) system after the age of 3 will be pre-tested in all 5 areas of development to establish baseline. Upon exiting the 619 program a post test will be administered in all 5 areas of development. The baseline pretest scores will be compared to the post test scores in the 5 areas of development evaluated to determine progress in the three required sub-indicators.

When evaluating a child exiting Part C and/or entering Part B (619) for outcome data reporting purposes, districts will evaluate children in each of the 5 areas of development on a norm-referenced standardized assessment tool. The state does not specify which tool(s) may be used but strongly recommends the use of the Battelle Developmental Inventory-Second Edition (BDI-2). The Battelle meets the requirements for collecting baseline data and can be used in conjunction with eligibility determination as one assessment instrument. Use of the Battelle will also allow for the continued tacking of longitudinal data on child development from Part C through Part B 619.

The state strongly recommends that the evaluators use the BDI-2. If different instruments are desired to be used then the evaluator (local school district) would need to show a cross walk on the instrument by a credited resource such as the Early Childhood Outcome (ECO) Center.

Total standard deviation scores for each outcome will be entered into the data system. One complete set of scores will be determined and entered into the data system within 1 month of entering Part B 619 and prior to exiting for children who have been in the system for at least 6 months.

Part B 619 will use the total standard deviation scores from each outcome area for each child to analyze the change in development from the BDI-2 at entry (time 1) to the BDI-2 at exit (time 2). With the publisher we will establish age level expectations for each outcome area for ages 6 months, 18 months, 24 months, and 36 months, etc. For each outcome area:

- a) If scores at time 1 and time 2 are both age level expectations, then children will be counted in priority (a). If scores at entry are below age expectations, but at exit they are at age level expectations, then the children also will be counted in (a).
- b) If scores at time 2 are higher than scores at time 1 (but not at age level expectations), they will be counted in (b).
- c) If scores at time 2 are the same or lower than scores at time 1, then they will be counted in (c).

Measurement to address the different areas will be as follows:

A. Positive social-emotional skills (including social relationship) will be calculated from the test scores that are received at the entry to the program and exit from the program in the areas of social/emotional development. This score will be calculated to determine the percent of children with IEPs who reach or maintain functioning at a level comparable to same-aged peers, who improved functioning and who did not improve functioning.

B. Acquisition and use of knowledge and skills (including early language/communication) will be calculated from the test scores that are received at the entry to the program and exit from the program in the areas of cognitive/receptive communication and expressive communication. This score will be calculated to determine the percent of children with IEPs who reach or maintain functioning at a level comparable to same-aged peers, who improved functioning and who did not improve functioning.

C. Use of appropriate behaviors to meet their needs will be calculated from the test scores that are received at the entry to the program and exit from the program in the areas of gross motor/fine motor/adaptive. This score will be calculated to determine the percent of children with IEPs who reach or maintain functioning at a level comparable to same-aged peers, who improved functioning and who did not improve functioning.

All children who have exited the Part C and/or entered Part B (619) after 3-1-06 and who are enrolled for at least six months will be administered a pre and post test assessment using a norm-referenced standardized assessment tool such as the BDI-2. The pre test can be administered as part of the eligibility determination or will be given within 25 school days of entering the Part B (619) program. There is no strict timeline for administering the post test but it will be done fairly close to the time the child exits the Part B (619) system.

Data for the test will be entered into the Birth to 3 Connections data system by the state Birth to 3 Connections data manager at entry and exit from the Part B (619) program. For the initial assessment, the program will report the total number of items achieved in each outcome area as a standard deviation score. For the final entry when the child exits, the program will again enter the total number of items achieved in each outcome area as the standard deviation scores for that assessment date. The pre test and post test data will be submitted by district personnel on a state required form.

Provision of training and technical assistance supports to administrators and service providers in outcome data collection, reporting, and use will include:

- Annual training will be available to new practitioners and ongoing technical assistance will be available to Part B 619 providers through the South Dakota Education Service Agencies.
- In February, Part B and C will collaborate to provide a statewide training for the BDI -2 in South Dakota. In January, 2006 a notice will be sent to the 168 local schools districts in the state on the change of testing requirements and the training for the BDI-2. Special Education Programs will provide training in 3 areas in the state (Brookings, Rapid City, and Pierre). In March 2006, there will be BDI 2 training at the South Dakota Council for Exceptional Children Conference. This data will provide the State the needed data for both Part B and C to address the child outcome indicators which are to provide the number of infants and toddlers who reach or maintain functioning at a level comparable to same-aged peers, who improve functioning, and who did not improve.

Quality assurance and monitoring procedures to ensure accuracy and completeness of the outcome data include:

- All data are entered into the Birth to 3 Connections data system by the State Birth to 3 Connections data manager. The State Part B 619 coordinator will review the test scores for accuracy and completeness and follow-up to verify if needed.
- For the 2006-2007 school year and forward Special Education Programs is utilizing the Battelle BDI Scoring Pro Web version online scoring and data collection tool. Each district will be able to enter data at the teacher level which will be accessible to SEP at the state level. The system is password protected.

Data system elements for outcome data input and maintenance and outcome data analysis functions include:

- The data system has a section devoted to this endeavor. Currently, access to the data system is only permitted with credentials assigned by the lead agency and is limited to the five Birth to 3 Connections Part C staff and the data manager within the Bureau of Information & Telecommunications dedicated to the Department of Education. Part B will be working with Part C to continue data collection with the Birth to 3 Connections data collection system currently in place in order to ensure accurate longitudinal data can be obtained. The quality assurance manager with the assistance of the data manager for Birth to 3 Connections, and the 619 Coordinator completes the statewide analysis.
- The 619 Coordinator will have access to all local and statewide data. Access will be limited to only two state SEP personnel. The 619 Coordinator will continue to ensure the accuracy of the data through a yearly verification process with each district that will be due by July 1 of each year.

## Baseline Data for FFY 2005 (2005-2006):

The following information is entry data from the BDI-2 for (A) positive social-emotional skills (including social relationships); (B) acquisition and use of knowledge and skills (including early language/communication; and (C) use of appropriate behaviors to meet their needs. During March 1, 2006 to June 30 2006, BDI-2 entry scores for 460 children. The total standard deviation scores from each outcome area for each child were used to determine the entry scores. The cut-off for each domain used to determine whether a child entered at age appropriate or below age appropriate is -1.5 standard deviations below the norm on the BDI-2 scoring chart. This cut off was chosen because it aligns with the state eligibility criteria for qualifying for special education services. A score above -1.5 does not qualify a child for special education services so these children would be considered as comparable to same-age peers.

## Discussion of Baseline Data:

	<b>A. Positive social- emotional skills</b>	<b>B. Acquisition and use of knowledge skills</b>	<b>C. Use of appropriate behavior to meet their</b>
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					needs	
	-1.5 and above	Below -1.5	-1.5 and above	Below -1.5	-1.5 and above	Below -1.5
	369	91	272	188	409	51
Percentage	80%	20%	59%	41%	89%	11%

In order to obtain the data necessary for indicator 7 of the SSP, South Dakota began administrating the BDI-2 to all children entering the program after March 1, 2006. A post test will be given as these children exit the program. In 2008 the pretest and post test scores will be compared to determine if progress was made. The entry scores for the children between March 1, 2006 and June 30, 2006 is being used as base line entry data.

The table above indicates that:

- 80% of students with disabilities are entering the domain positive social-emotional skills at the same age level as peers.
- 59% of students with disabilities are entering the domain of acquisition and use of knowledge skills at the same age level as peers.
- 89% of students with disabilities are entering the domain of appropriate behaviors to meet their needs at the same age level as peers.

Annual training was provided to new practitioners and on going technical assistance will be available to early intervention providers. In January 2006 a notice was sent to the 168 local school districts in the state on the change of testing requirements and the training of the BDI-2. In February 2006 Part B and C collaborated to provide a statewide training for the BDI-2 in South Dakota. Special Education programs provided training in three areas of the state. In addition, a fourth training occurred in September 2006.

This data will provide the state the needed information for both Part B and C to address the child outcome indicators on the State Performance Plan. In March 2006 the state will begin collection data in all developmental areas which will be translated into the required measures to determine baseline entry data.

### 2006-2007 Discussion of Data:

The data tables below indicate the number of students who began receiving services on or after March 1, 2006, received at least 6 months of services, and exited the program by June 30, 2007. As indicated in the 2005-2006 discussion of baseline data, the cut-off for each domain used to determine whether a child entered at age appropriate or below age appropriate are -1.5 standard deviations below the norm on the BDI-2 scoring chart. If a child scored below -1.5 SD they were considered "not comparable to same-age peers." The

definition of “comparable to same-age peers” means a child has a standard deviation of -1.5 or above the norm on the BDI-2 scoring chart. This is the same definition as the state used in the SPP submission of February 1, 2007 and this current submission of February 1, 2008. This cut off was chosen because it aligns with the state eligibility criteria for qualifying for special education services.

Beginning January 2007, South Dakota activated the Battelle online Data Manager system. SEP staff and teachers began scoring all students using the online Data Manager scoring site.

- Teachers and SEP staff are responsible for entering students' scores into the online BDI-2 Data Manager scoring system. After entering students' scores into the online scoring system, staff must enter the student's program type into the Program Notes field (Entry C, Exit C, Transition, Entry B, Exit B, and/or NA - student not eligible, student not tested for progress monitoring purposes). This allows SEP to track students' progress from one program to the next.
- SEP exports the data from the online Data Manager scoring site and compares the students' entry and exit scores to determine students' growth and progress.

A. Positive social-emotional skills (including social relationships):	Number of children	% of Children
a. Percent of preschool children who did not improve functioning ( <i>Entry score is not higher than exit score using raw data</i> )	0	0.00%
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers. ( <i>Increase in raw scores but not standard scores to reach level comparable to same aged peers</i> )	0	0.00%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach. ( <i>Increase in standard scores but not to a level comparable to same aged peers</i> )	2	8.33%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers. ( <i>Increase in standard score to reach level comparable to same aged peers</i> )	7	29.17%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged Peers. ( <i>Maintained performance comparable to same aged peers using standard scores during entry and exit</i> )	15	62.50%
<b>Total</b>	<b>24</b>	<b>100%</b>

N=

B. Acquisition and use of knowledge and skills(including early language/communication and early literacy):	Number of children	% of Children
a. Percent of preschool children who did not improve functioning. ( <i>Entry score is not higher than exit score using raw data from both communication and cognitive domains</i> )	0	0.00%



b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers. <i>(Just below level comparable to same aged peers using standard scores from both communication and cognitive domains)</i>	1	4.17%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach. <i>(Increased performance to level comparable to same aged peers using standard scores in only one domain communication or cognitive)</i>	6	25.00%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers. <i>(Increased performance to level comparable to same aged peers using standard scores in both communication and cognitive domains)</i>	10	41.67%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers. <i>(Maintained performance comparable to same aged peers using standard scores during entry and exit)</i>	7	29.17%
<b>Total</b>	<b>24</b>	<b>100%</b>

N=

<b>C. Use of appropriate behaviors to meet their needs:</b>	<b>Number of children</b>	<b>% of Children</b>
a. Percent of preschool children who did not improve functioning. <i>(Entry score is not higher than exit score using raw data from both adaptive and motor domains)</i>	0	0.00%
b. Percent of preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers. <i>(Just below level comparable to same aged peers using standard scores from both adaptive and motor domains)</i>	3	12.50%
c. Percent of preschool children who improved functioning to a level nearer to same-aged peers but did not reach. <i>(Increased performance to level comparable to same aged peers using standard scores in only one domain adaptive or motor)</i>	5	20.83%
d. Percent of preschool children who improved functioning to reach a level comparable to same-aged peers. <i>(Increased performance to level comparable to same aged peers using standard scores in both adaptive and motor domains)</i>	6	25.00%
e. Percent of preschool children who maintained functioning at a level comparable to same-aged peers. <i>(Maintained performance comparable to same aged peers using standard scores during entry and exit)</i>	10	41.67%
<b>Total</b>	<b>24</b>	<b>100%</b>

Regional trainings were provided and on going technical assistance will be available to early intervention providers.

- In January 2007, a notice was sent to all districts updating them with the new scoring procedures and requirements for the Battelle online Data Manager. Trainings were

also provided highlighting the administration, scoring, and interpretation of the Battelle Developmental Inventory. Additional trainings were provided in September.

- In August 2007, 10 WebEx trainings were conducted to prepare new practitioners and update veterans with the new scoring procedures and program features of the BDI-2.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	<b>Targets will be set in the February 1, 2010 APR</b>
2006 (2006-2007)	<b>Targets will be set in the February 1, 2010 APR</b>
2007 (2007-2008)	<b>Targets will be set in the February 1, 2010 APR</b>
2008 (2008-2009)	<b>Targets will be set in the February 1, 2010 APR</b>
2009 (2009-2010)	<b>Targets will be set in the February 1, 2010 APR</b>
2010 (2010-2011)	<b>Targets will be set in the February 1, 2010 APR</b>

**Improvement Activities/Timelines/Resources:**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>• Consultative services on data collection and analysis within each reporting category.</li> </ul>	Spring of 2008 and ongoing	Special Education Programs, Mountain Plains Regional Resource Center (MPRRC), National Early Childhood Technical Assistance Center (NECTAC)
<ul style="list-style-type: none"> <li>• Conduct training workshops for General and Special Education</li> </ul>	Spring of 2008 and ongoing	Special Education Programs staff and

Activities	Timelines	Resources
Early Childhood teachers and staff to highlight scoring features of Battelle Developmental Inventory online Data Manager scoring system.		Riverside Publishing
<ul style="list-style-type: none"> <li>Collaborate with Part C Birth to 3 Connections Program to provide districts with training on testing requirements for the Battelle Developmental Inventory.</li> </ul>	Spring of 2008 and ongoing	Special Education Programs staff, Part C Birth to 3 Connections Staff
<ul style="list-style-type: none"> <li>A Technical Assistance scoring manual for the Battelle Developmental Inventory.</li> </ul>	Spring of 2008 and ongoing	Special Education Programs staff and Riverside Publishing
<ul style="list-style-type: none"> <li>Provide workshop focusing on early literacy and language development skills within the early childhood classroom.</li> </ul>	Winter of 2008	Special Education Programs staff and Sopris West
<ul style="list-style-type: none"> <li>Provide training and Technical Assistance within the areas of early literacy development and implementation.</li> </ul>	Winter 2008 through September 2011	Center for Early Literacy Learning (CELL)

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: FAPE in the LRE**

**Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.**

(20 U.S.C. 1416(a)(3)(A))

**Measurement:**

**Percent = # of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total # of respondent parents of children with disabilities times 100.**

**Overview of Issue/Description of System or Process:**

The purpose of the Parent Survey is to assist the Special Education Programs unit in determining the extent to which schools are facilitating parent involvement. The survey data will assist the schools in improving parent involvement and will result in positive outcomes for parents as well as improved outcomes for children.

South Dakota used a paper-and-pencil, slightly-modified version of the 26-item National Center for Special Education Accountability Monitoring (NCSEAM) Part B K-12 survey. A few items were modified in order to make the survey appropriate for parents of age 3-5 children. Each survey was identifiable to the school district. The Special Education Programs unit contracted with Mountain Plains Regional Resource Center (MPRRC) for assistance with the data collection, data analysis, and report-writing for this indicator.

In July 2006, the Parent Survey was mailed to all parents of students age 3-21 receiving special education services during the 2005-06 school year. Parents were asked to complete and then mail the survey to MPRRC. Parents were assured of anonymity.

A total of 17,631 surveys were mailed and 1,406 were returned for a response rate of 8.0%. However, more than 200 of the surveys were returned due to a wrong address, so not all 17,631 parents actually received a survey.

Because of the low response rate, a random sample of 50 parents were called and asked five key questions from the Parent Survey. The responses of the phone interviewees were compared to the responses of those who completed and mailed the Parent Survey. A "percent of maximum" score based on the five items was calculated for each respondent. A

respondent who answered each of the five items a “6” (Very Strongly Agree) received a 100% score; a respondent who answered each item a “1” (Very Strongly Disagree) on each of the five items received a 0% score. A respondent who answered each item a “4” (Agree) on each of the five items received a 60% score. The mean percent of maximum score for the phone respondents (66%) was not significantly different from the mean percent of maximum score for the mail respondents (65%). Thus, the phone respondents were no more or no less satisfied than the mail respondents; as such, nonresponse bias is not present. This suggests that the results based on the mail respondents are representative of all parents of students with disabilities.

To address this indicator, Special Education Programs staff members reviewed the items on the written questionnaire to determine which of the 26 items related to the concept of the schools “facilitating parent involvement”. The staff members determined that all 26 items on the Parent Survey related to this indicator. Thus, each survey respondent received a percent of maximum score based on their responses to all 26 items. A respondent who rated their experiences with the school a “6” (Very Strongly Agree) on each of the 26 items received a 100% score; a respondent who rated their experiences with the school a “1” (Very Strongly Disagree) on each of the 26 items received a 0% score. A respondent who rated their experiences with the school a “4” (Agree) on each of the 26 items received a 60% score. (Note: a respondent who **on average** rated their experiences a “4”, e.g., a respondent who rated 8 items a “4,” 9 items a “3” and 9 items a “5,” would also receive a percent of maximum score of 60%.)

The representativeness of the surveys was assessed by examining the demographic characteristics of the children of the parents who responded to the survey to the demographic characteristics of all special education students. This comparison indicates the results are representative (1) by geographic region where the child attends school; (2) by size of district where the child attends school; (3) by the race/ethnicity of the child; (4) by the grade level of the child; and (5) by the primary disability of the child. For example, 88% of the parents who returned a survey indicated that their children are white and 85% of special education students are white.

Then Special Education Programs staff members decided where to set the cut-score for determining that the school did indeed facilitate parent involvement. Staff members decided that a 60% cut score represented the most-appropriate cut score. A 60% cut-score is representative of a parent who, on average, agrees with each item; as such, the family member is agreeing that school facilitated their involvement. The staff members did not believe it was appropriate to insist that respondents “strongly agree” (a cut score of 80%) or “very strongly agree” (a cut score of 100%) that the school facilitated their involvement in order for the respondent to be counted as someone who believes that the school facilitated parent involvement. Thus, any parent who had a percent of maximum score of 60% or above was identified as one who reported that the school facilitated his/her involvement.

#### **Baseline Data for FFY 2006 (2005-2006):**

The following table shows that 62.2% of parents reported that the school facilitated their involvement.

#### **Percentage of parents who state that the school facilitated their involvement:**

	<b>School facilitated parent involvement</b>
<b>2005 (2005-2006)</b>	62.2%

**Discussion of Baseline Data:**

The first year of data collection indicates that the majority of parents believe that the schools facilitate their involvement; 62% of parents state that their child's school facilitated their involvement.

While this overall "parent involvement" percentage provides a benchmark of the extent to which schools are encouraging and facilitating parent involvement, the Special Education Programs unit has also reviewed individual item results to determine specific areas in which the schools and the unit can make improvements in how they communicate with and relate to parents of special education students. Districts will be given their survey results so that they might also target specific areas for improved parent involvement.

The Special Education Programs unit is concerned about the low response rate. The response rate of 8.0% is lower than desired. Even though the phone interviews suggest that nonresponse bias is not present, the unit will be using a different survey distribution method during the 2006-07 school year in order to achieve a higher response rate. In spring 2007, the survey will be given to parents attending their regularly scheduled IEP meeting. Parents will be encouraged to complete the survey before or after the meeting, and to then immediately mail the survey to MPRRC. This in-person distribution method should result in a higher response rate this year than last year. In addition, the survey instructions will specify that the Parent Survey is for parents of children receiving special education services and/or speech and language services. It was discovered that several parents of children receiving speech/language services believed that a "special education" survey did not pertain to them. This change should also result in a higher response rate.

The Special Education Programs staff members set the following targets. The target in FFY 2010 represents a significant difference from the starting point in FFY 2005.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	62.2%
2006 (2006-2007)	62.7%

2007 (2007-2008)	63.2%
2008 (2008-2009)	63.7%
2009 (2009-2010)	64.2%
2010 (2010-2011)	65.2%

**Improvement Activities/Timelines/Resources: new indicator**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Districts will send to parents/guardians of students with disabilities the survey with either the state form letter or their own.</li> </ul>	Spring 2007 and on-going	<p>Special Education Programs will provide the survey and the return postage.</p> <p>Districts will send the survey to appropriate parents/guardians for their district.</p>
<ul style="list-style-type: none"> <li>Special Education Programs will begin development of an optional online parent survey for districts to use as an option.</li> </ul>	2008-2009 school year	Special Education Programs
<ul style="list-style-type: none"> <li>Disaggregate and analyze district and state data to improve relations and parent involvement.</li> </ul>	Fall of 2007 and ongoing	Special Education Programs, Parent Connection, South Dakota Advocacy
<ul style="list-style-type: none"> <li>Special Education Programs will contact each district with a low</li> </ul>	2007-2008 school year and ongoing.	Special Education Program staff will send and collect district response letters and

<p>response rate from the Indicator 8 survey by letter.</p> <ul style="list-style-type: none"> <li>Districts will need to respond within 30 days of receiving the correspondence to explain what their procedure was for distributing the Indicator 8 survey and how the district will improve the current response rate.</li> <li>Public reporting on the SEP website will include the district's low response rate.</li> </ul>		<p>determine if further SEP involvement is needed.</p>
<ul style="list-style-type: none"> <li>Special Education Programs will recognize districts with a response rate of 50% or more on the Indicator 8 survey.</li> <li>Districts will receive a letter of congratulations and recognition on the SEP website.</li> </ul>	<p>2007 – 2008 school year and ongoing.</p>	<p>Special Education Program staff will send recognition letters and post on website.</p> <p>Districts will be honored at state special education conference with certificate.</p>

**Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Disproportionality**

**Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.**

(20 U.S.C. 1416(a)(3)(C))

**Measurement:**



**Percent = # of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100.**

**Include State's definition of "disproportionate representation."**

**Describe how the State determined that disproportionate representation of racial and ethnic groups in special education and related services was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.**

### **Overview of Issue/Description of System or Process:**

Each school district reports through the Student Information Management System (SIMS) annually. The SIMS is the statewide online system used to collect information about all students in South Dakota schools. Districts submit data through the student data records. Each student has a 9 digit unique student identifier number. The unique student identifier number allows the SIMS system to collect and sort data without duplication errors. The SIMS system does collect racial/ethnic information currently as well as data on related services by each student's unique identifier number; however Special Education Programs has not collected this information from data collection in the past. Special Education Programs will begin to collect this information in order to see if disproportionate representation exists. Each school district in South Dakota has a SIMS coordinator in place. The SIMS coordinator attends yearly training on the SIMS system.

Districts enter the required data currently on the SIMS. Special Education Programs collects this for their 618 data. South Dakota has elected to use the electronic spreadsheet provided by WESTAT to show potential disproportionate representation of racial/ethnic groups in special education and related services and to flag those districts. WESTAT is a federally funded research corporation consulting in statistical design, data collection and management, and research analysis work. Special Education programs and districts will then look closer to see if there is disproportionate representation of racial/ethnic groups in special education and related services based on inappropriate identification. Beginning the summer of 2006 NCSEAM will be assisting Special Education Programs in a data collection retreat. This will be a time set aside annually for Special Education Programs staff to review state and district data.

South Dakota has many small rural school districts. 26.1% of the districts in South Dakota have 200 or less student enrollment for grades K -12 and 48% have 201-600 student population for grades K-12. The largest category of student enrollment is comprised of Caucasian students at 84.6%, Native American students make up 10.8% of the public school enrollment followed by Hispanic students at 1.09%, African American students at 1.6% and Asian students at 1.1%.

Because the state has such small numbers of students, when broken out by race/ethnicity, it appears to report potentially significant numbers of students as being over and under identified in various disability categories and placements. The data points that are flagged could be the result of the small numbers being analyzed.

The appropriate identification, evaluation, and placement for children with disabilities is an ongoing training effort for the state agency. The state annually provides trainings and technical materials designed to ensure appropriate practices are in place. The state agency's compliance monitoring reviews the policies and procedures of each district during the school year's cycle for compliance monitoring with administrative rules governing evaluation, identification and placement procedures. If any district is identified with a compliance concern, individualized improvement plans are initiated to address any findings of noncompliance.

To ensure statistically sound data, a minimum number (N) will be applied where appropriate. The necessity of applying a statistical analysis and a minimum N to certain target indicators was due to exceptionally small sample sizes. A minimum number large enough to provide both valid and reliable target determinations will be set for certain target indicators. South Dakota will be utilizing a minimum N with this indicator to help ensure confidentiality of students from particular ethnic or linguistic groups in South Dakota public schools as well as to ensure statistically sound data. For all NCLB data South Dakota uses a minimum N of 10. Special Education Programs will follow South Dakota NCLB protocol.

South Dakota will identify districts with disproportionality that may be the result of inappropriate identification as follows:

- Stakeholder input will be received regarding the weighted and unweighted risk ratio formulas and the development of South Dakota's definition of disproportionate representation
  - Depending on Stakeholder input after seeing FFY 2004 baseline data South Dakota will decide upon whether to use a weighted or unweighted risk ratio
- Each district with any student cell size number of 10 or greater will be considered in the review process
- Using the WESTAT electronic spreadsheet, South Dakota will flag the districts with potential disproportionate representation of racial/ethnic groups in special education and related services.
- Special Education Programs will study the data and determine which school districts have disproportionate representation of racial/ethnic groups in special education and related services.
- Once districts are identified with the highest risk factor for disproportionate representation of racial/ethnic groups in special education and related services, an analysis of data will be conducted by Special Education Program staff along with local districts to see if the disproportionate representation of racial/ethnic groups in special education and related services is based on inappropriate identification.
  - The analysis is conducted through an on site review by a team of SEP staff and education specialists. The team reviews the LEA's policies, practices and procedures, special education files, and conducts interviews with LEA staff.
  - Districts that have been found to have disproportionate representation of racial/ethnic groups in special education and related services based on inappropriate identification will develop a plan of correction.
- The district that has developed a plan of correction will receive additional technical assistance to correct the inappropriate identification procedures leading them to have disproportionate representation based on inappropriate identification.

**Baseline Data for FFY 2005 (2005-2006):**

**2007 Changes**

SEP determined that any LEA who had numerical disproportionate representation would have an on-site review of its policies, practices, and procedures to ensure accurate and reliable information. Thus, the one district that was identified with disproportionate representation was reviewed. Upon an on-site review of the districts referral, evaluation, and eligibility determinations, it was determined that this LEA had disproportionate representation based on inappropriate identification.

Disproportionate representation is defined as a Weighted Risk Ratio of 2.50 or above (over-representation) or .30 or below (under-representation). Once a ratio is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

**Display 10-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification**

Level	Weighted Risk Ratio
Over-Representation	2.50 and up
Under-Representation	.30 and below

Original criteria in 2006	Changes to criteria in 2007
Minimum N of 10 in special education race/ethnic group	Minimum N of 10 in special education race/ethnic group and comparison group more reliable and valid data.
Ages 3-21	Ages 6-21
Weight risk ratio at 2.0 and above	Weighted risk ratio using 2.5 or above for over-representation and .30 for under-representation.
Desk audit only	Data verification, desk audit, and on-site monitoring
Original definition 2006	Change in definition 2007
Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be	Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in

disproportionately represented in special education. • 2.0 risk ratio factor • Minimum N of 10 for overall numbers in special education.	special education. • 2.5 risk ratio factor • Minimum N of 10 for overall numbers in special education.
<b><u>Original Activity 2006</u></b>	<b><u>Change in Activity 2007</u></b>
Inform districts that have been flagged and provide them with the analysis tool	LEAs that have been flagged at 2.5 or above will receive an on site visit.
<ul style="list-style-type: none"> <li>Ensure districts found to have Disproportionality due to inappropriate identification for two consecutive years have corrected their identification process within one year of notification</li> </ul>	No longer using two year rule. Districts are put on a plan of correction after the first year if they are found to have inappropriate identification procedures.

**Discussion of Baseline Data:**

Stakeholder meetings were held in June and August 2006.

Membership included representation from:

1. Different educational backgrounds
  - Special Education Directors from schools and educational cooperatives
  - Educational Psychologist
  - Education Specialists
  - Assistant director educational cooperative
2. Small, medium, and large districts with diverse student populations.

This Stakeholders group was brought together to gain a basic understanding and make recommendations for South Dakota on determining appropriate information and data on districts when it comes to disproportionality due to inappropriate identification. The recommendations by the committee were the following:

- Definition of significant discrepancy: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.
- 2.0 risk ratio factor
- Minimum N of 10 for overall numbers in special education.

14 districts met the criteria were required to verify the numbers and submit explanations upon their examination of data.

SEP reviewed each district's data submission using the following rubric:

- Number still meets risk ratio

- Pre-referral process is weak and does not indicate adequate intervention and documentation.
- District does not provide services to another school or group that would cause disproportionate numbers.
- Overrides are greater than 5 or more and is disproportionate to other categories
- OCR compliant deals with inappropriate identification and no documentation of compliance.
- ELL students on IEP – Greater than 5 and weak documentation on procedures for determining placement.
- SLD identification due to social issues does not indicate appropriate procedures for dealing with the issue.
- Miscellaneous Info- data to explain disproportionate numbers is missing.

Districts found to have any concerns after the rubric analysis were completed were asked to submit additional data to SEP

Due to South Dakota's two consecutive years of concerns, Special Education Programs will review the districts' data in 2006-2007 and any district that had concerns in 2005 will be reviewed through on-site focused monitoring to ensure all policy, practice, and procedures are in compliance for appropriately identification of students. If any district is found out of compliance during the on-site visit for inappropriately identifying students in special education, they will be required to complete a self-assessment, develop a plan of correction and use 15% of early intervening services money.

Upon review of the 2005 process, Special Education Programs will need to reevaluate the initial criteria and desk audit process to include the following criteria:

- Initial Criteria
  - Minimum N of 10
  - Numbers should only include student ages K-12 due to:
    - LEA's can only use the early intervening services money toward K-12 students.
  - Review the districts with high Native American enrollment to White enrollment to determine if the Native American or White population is over represented.
- Desk audit
  - Improve process for collecting information
  - Clarify information needed from the districts
- On-site monitoring of districts with concern in the identification process will be incorporating into the new focused monitoring system beginning in 2006-2007 school year.
- Final development of self-assessment tool for districts in non-compliance.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of

	inappropriate identification.
2006 (2006-2007)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2007 (2007-2008)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2008 (2008-2009)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2009 (2009-2010)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2010 (2010-2011)	0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Attend National Disproportionality forum in Denver, CO</li> </ul>	Winter 2006	SPECIAL EDUCATION PROGRAMS staff
<ul style="list-style-type: none"> <li>Call together a State level taskforce to define Disproportionality in SD, set targets, and determine the measurement tool to be used.</li> </ul>	Summer/Fall 2006	Special education directors, special education teachers, coop directors, MPRRC
Call State task force together to make changes in SD criteria	Summer 2007	Special education directors, special education teachers, coop directors, MPRRC

## SPP Template – Part B (3)

## South Dakota State

<ul style="list-style-type: none"> <li>Collect data used to determine which districts are showing numerical Disproportionality</li> </ul>	Summer/Fall 2006-2011	Special Education Programs
<ul style="list-style-type: none"> <li>Develop an analysis tool for districts to use to determine if the numerical Disproportionality is due to inappropriate identification</li> </ul>	Summer/Fall 2006	State Disproportionality Taskforce
<ul style="list-style-type: none"> <li>Inform districts that have been flagged and provide them with the analysis tool</li> </ul>	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs
<ul style="list-style-type: none"> <li>Provide TA to districts showing Disproportionality due to inappropriate identification</li> </ul>	Fall 2006 and ongoing	NCCREST, Special Education Programs, MPRRC
<ul style="list-style-type: none"> <li>Develop a state level RTI team to coordinate implementation of a state wide RTI process</li> </ul>	Fall 2006 and ongoing	Special Education Programs
Stakeholder group will reconvene to update procedures for determining initial criteria and desk audit.	Spring 2007	Special Education Programs, NCCREST, and Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li><b>Provide training on:</b> Response to Intervention Procedures for accepting IEP  Inclusion training dealing with accommodations and pre-referral activities.</li> </ul>	Begin in the Fall 2007 and on-going	Special Education Programs, Mountain Plains Regional Resource Center, Technical Assistance Centers

## Part B State Performance Plan (SPP) for 2005-2010

## Overview of the State Performance Plan Development:

See page 1 of the State Performance Plan.

**Monitoring Priority: Disproportionality**

**Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.**

(20 U.S.C. 1416(a)(3)(C))

**Measurement:**

**Percent = # of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of districts in the State times 100.**

**Include State's definition of "disproportionate representation."**

**Describe how the State determined that disproportionate representation of racial and ethnic groups in specific disability categories was the result of inappropriate identification, e.g., monitoring data, review of policies, practices and procedures under 618(d), etc.**

**Overview of Issue/Description of System or Process:**

Each school district reports through the Student Information Management System (SIMS) annually. The SIMS is the statewide online system used to collect information about all students in South Dakota schools. Districts submit data through the student data records. Each student has a 9 digit unique student identifier number. The unique student identifier number allows the SIMS system to collect and sort data without duplication errors. The SIMS system does collect racial/ethnic information as well as a student's disability category by each student's unique identifier number; however Special Education Programs has not previously collected this information from data collection. Special Education Programs will begin to collect this information in order to see if disproportionate representation exists within specific disability categories. Each school district in South Dakota has a SIMS coordinator in place. The SIMS coordinator attends yearly training on the SIMS system.

Districts enter the required data currently on the SIMS. Special Education Programs collects this for their 618 data. South Dakota has elected to use the electronic spreadsheet provided by WESTAT to show potential racial/ethnic disproportionate representation by disability categories and to flag those districts. WESTAT is a federally funded research corporation consulting in statistical design, data collection and management, and research analysis



work. Special Education programs and districts will then look closer to see if there is disproportionate representation by race/ethnicity in specific disability categories based on inappropriate identification. Beginning the summer of 2006 NCSEAM will be assisting Special Education Programs in a data collection retreat. This will be a time set aside annually for Special Education Programs staff to review state and district data.

South Dakota has many small rural school districts. 26.1% of the districts in South Dakota have 200 or less student enrollment for grades K -12 and 48% have 201-600 student population for grades K-12. The largest category of student enrollment is comprised of Caucasian students at 84.6%, Native American students make up 10.8% of the public school enrollment followed by Hispanic students at 1.09%, African American students at 1.6% and Asian students at 1.1%.

Because the state has such small numbers of students, when broken out by race/ethnicity, it appears to report potentially significant numbers of students as being over and under identified in various disability categories and placements. The data points that are flagged could be the result of the small numbers being analyzed.

The appropriate identification, evaluation, and placement for children with disabilities is an ongoing training effort for the state agency. The state annually provides trainings and technical materials designed to ensure appropriate practices are in place. The Special Education Programs compliance monitoring teams review the policies and procedures of each district during the school year's cycle for compliance monitoring with administrative rules governing evaluation, identification and placement procedures. If any district is identified with a noncompliance finding, individualized improvement plans are initiated to address any noncompliance findings.

To ensure statistically sound data, a minimum number (N) will be applied where appropriate. The necessity of applying a statistical analysis and a minimum N to certain target indicators was due to exceptionally small sample sizes. A minimum number large enough to provide both valid and reliable target determinations will be set for certain target indicators. South Dakota will be exploring the possibility of utilizing a minimum N with this indicator to help ensure confidentiality of students from particular ethnic or linguistic groups within specific disability categories in South Dakota public schools as well as to ensure statistically sound data.

South Dakota will identify districts with disproportionality that may be the result of inappropriate identification as follows:

- Stakeholder input will be received regarding the weighted and unweighted risk ratio formulas and the development of South Dakota's definition of disproportionate representation
  - Depending on Stakeholder input after seeing FFY 2004 baseline data South Dakota will decide upon whether to use a weighted or unweighted risk ratio
- Each district with any student cell size number of 10 or greater will be considered in the review process
- Using the WESTAT electronic spreadsheet, South Dakota will flag the districts with potential disproportionate representation by race/ethnicity in specific disability categories.
- Special Education Programs will study the data and determine which school districts have disproportionate representation by race/ethnicity in specific disability categories.

- Once districts are identified with the highest risk factor for disproportionate representation by race/ethnicity in specific disability categories, an analysis of data will be conducted by Special Education Program staff along with local districts to see if the disproportionate representation by race/ethnicity in specific disability categories is based on inappropriate identification.
  - The analysis is conducted through an on site review by a team of SEP staff and education specialists. The team reviews the LEA's policies, practices and procedures, special education files, and conducts interviews with LEA staff.
  - Districts that have been found to have disproportionate representation by race/ethnicity in specific disability categories based on inappropriate identification will develop a plan of correction.
- The district that has developed a plan of correction will receive additional technical assistance to correct the inappropriate identification procedures leading them to have disproportionate representation based on inappropriate identification.

### **2007 Changes**

SEP determine LEAs who have numerical disproportionate representation would have an on-site review of their policies, practices, and procedures. Upon an on-site review of the districts referral, evaluation, and eligibility determinations, it was determine that one LEA had disproportionate representation based on inappropriate identification.

South Dakota collects data for Indicator 10 through the state December 1 child count and fall enrollment i. A Weighted Risk Ratio based on the identification rate for each racial/ethnic group for the six disability categories of Autism, Emotional Disturbance, Cognitive Disability, Other Health Impairment, Specific Learning Disability, and Speech/Language Impairment. at each LEA is calculated. A Weighted Risk Ratio is determined only if there are 10 or more students in the group of interest (based on child count data) and if there are also 10 or more students in the comparison group.

Disproportionate representation is defined as a Final Risk Ratio of 2.50 or above (over-representation) or .30 or below (under-representation). Once a ratio is flagged for disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification.

#### **Display 10-2: Cut-Scores for Flagging the LEAs for Possible Inappropriate Identification**

Level	Weighted Risk Ratio
Over-Representation	2.50 and up
Under-Representation	.30 and below

Original criteria in 2006	Changes to criteria in 2007
Minimum N of 10 in special education race/ethnic group	Minimum N of 10 in special education race/ethnic group and comparison group more reliable and valid data.

Ages 3-21	Ages 6-21
Weight risk ratio at 2.0 and above	Weighted risk ratio using 2.5 or above for over-representation and .30 for under-representation.
Desk audit only	Data verification, desk audit, and on-site monitoring
<b><u>Original definition 2006</u></b>	<b><u>Change in definition 2007</u></b>
<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none"> <li>• 2.0 risk ratio factor</li> <li>• Minimum N of 10 for overall numbers in special education.</li> </ul>	<p>Definition of Disproportionate Representation: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.</p> <ul style="list-style-type: none"> <li>• 2.5 risk ratio factor</li> <li>• Minimum N of 10 for overall numbers in special education.</li> </ul>
<b><u>Original Activity 2006</u></b>	<b><u>Change in Activity 2007</u></b>
Inform districts that have been flagged and provide them with the analysis tool	LEAs that have been flagged at 2.5 or above will receive an on site visit.
<ul style="list-style-type: none"> <li>• Ensure districts found to have Disproportionality due to inappropriate identification for two consecutive years have corrected their identification process within one year of notification</li> </ul>	No longer using two year rule. Districts are put on a plan of correction after the first year if they are found to have inappropriate identification procedures.

**Baseline Data for FFY 2005 (2005-2006):**

Number of districts initially identified	Category of concern	Number of districts doing further drill down of data.	Number of districts found out of compliance
21	Specific Learning Disabled	1	0
4	Speech	0	0

2	Emotionally Disturbed	1	0
3	Multiple Disabilities	0	0
2	Mental Retardation	0	0

**Discussion of Baseline Data:**

Stakeholder meetings were held in June and August 2006.

Membership included representation from:

1. Different educational backgrounds

- Special Education Directors from schools and educational cooperatives
- Educational Psychologist
- Education Specialists
- Assistant director educational cooperative

1. Small, medium, and large districts with diverse student populations.

This Stakeholders group was brought together to gain a basic understanding and make recommendations for South Dakota on determining appropriate information and data on districts when it comes to disproportionality due to inappropriate identification.

- Definition of significant discrepancy: Disproportionality refers to comparisons made between groups of students by race or ethnicity or language who are identified for special education services. Where students from particular ethnic or linguistic groups are identified either at a greater or lesser rate than all other students then that group may be said to be disproportionately represented in special education.
- 2.0 risk ratio factor
- Minimum N of 10 for overall numbers in the special education category.

SEP reviewed each districts data submission using the following rubric:

- Number still meets risk ratio
- Pre-referral process is weak and does not indicate adequate intervention and documentation.
- District does not provide services to another school or group that would cause disproportionate numbers.
- Overrides are greater than 5 or more and is disproportionate to other categories
- OCR compliant deals with inappropriate identification and no documentation of compliance.
- ELL students on IEP – Greater than 5 and weak documentation on procedures for determining placement.
- SLD identification due to social issues does not indicate appropriate procedures for dealing with the issue.
- Miscellaneous Info- data to explain disproportionate numbers is missing.

District found to have any concerns after the rubric analysis were completed were asked to submit additional data to SEP.

Due to South Dakota's two consecutive years of concerns, Special Education Programs will review the districts' data in 2006-2007 and any district that had concerns in 2005 will be reviewed through on-site monitoring to ensure all policy, practice, and procedures are in compliance for appropriately identification of students. If any district is found out of compliance during the on-site visit for inappropriately identifying students in special education, they will be required to complete a self-assessment, develop a plan of correction and use 15% of early intervening services money.

Upon review of the 2005 process, Special Education Programs will need to reevaluate the initial criteria and desk audit process to include the following criteria:

- Initial Criteria
  - Minimum N of 10
  - Numbers should only include student ages K-12 due to:
    - LEA's can only use the early intervening services money toward K-12 students.
  - Review the districts with high Native American enrollment to white enrollment to determine if the Native American or white population is over-represented.
- Desk audit
  - Improve process for collecting information
  - Clarify information needed from the districts
- On-site monitoring of districts with concern in the identification process will be incorporating into the new focused monitoring system beginning in 2006-2007 school year.
- Final development of self-assessment tool for districts in non-compliance.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.
2006 (2006-2007)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.
2007 (2007-2008)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.
2008 (2008-2009)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.
2009 (2009-2010)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate

	identification.
2010 (2010-2011)	0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that are the result of inappropriate identification.

**Improvement Activities/Timelines/Resources: new indicator**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Attend National Disproportionality forum in Denver, CO</li> </ul>	Winter 2006	Special Education Programs
<ul style="list-style-type: none"> <li>Call together a State level taskforce to define Disproportionality in SD, set targets, and determine the measurement tool to be used.</li> </ul>	Summer/Fall 2006	Special education directors, special education teachers, coop directors, MPRRC
<ul style="list-style-type: none"> <li>Collect data used to determine which districts are showing numerical Disproportionality</li> </ul>	Summer/Fall 2006	Special Education Programs
<ul style="list-style-type: none"> <li>Develop an analysis tool for districts to use to determine if the numerical Disproportionality is due to inappropriate identification</li> </ul>	Summer/Fall 2006	State Disproportionality Taskforce
<ul style="list-style-type: none"> <li>Inform districts that have been flagged and provide them with the analysis tool</li> </ul>	Fall 2006 and completed annually at the end of school through 2011	Special Education Programs
<ul style="list-style-type: none"> <li>Provide TA to districts showing Disproportionality due to inappropriate identification</li> </ul>	Fall 2006 and ongoing	NCCREST, Special Education Programs, MPRRC
<ul style="list-style-type: none"> <li>Develop a state level Rtl team to coordinate implementation of a state</li> </ul>	Fall 2006 and ongoing	Special Education Programs

wide RtI process		
<ul style="list-style-type: none"> <li>Stakeholder group will reconvene to update procedures for determining initial criteria and desk audit.</li> </ul>	Spring 2007	Special Educaiton Programs, NCCREST, and Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li><b>Provide training on:</b> Response to Intervention Procedures for accepting IEP  Inclusion training dealing with accommodations and pre-referral activities.</li> </ul>	Beginning in Fall 2007 and on going	Special Education Programs, Mountain Plains Regional Resource Center, Technical Assistance Centers

## Part B State Performance Plan (SPP) for 2005-2010

## Overview of the State Performance Plan Development:

See page 1 of the State Performance Plan.

## Monitoring Priority: Effective General Supervision Part B / Child Find

**Indicator 11: Percent of children with parental consent to evaluate, who were evaluated within 25 school days.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

- a. # of children for whom parental consent to evaluate was received.
- b. # determined not eligible whose evaluations were completed within 25 school days.
- c. # determined eligible whose evaluations were completed within 25 school days.

Account for children included in a but not included in b or c. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.

**Percent = b + c divided by a times 100.**

**Overview of Issue/Description of System or Process:**

Currently, districts gather data through student file reviews during the Continuous Improvement Monitoring Plan self assessment process. Their data collection includes:

- Number of initial evaluations conducted following receipt of parental consent
- Number of evaluations completed within 25 school day timeline
- Number of Eligibility/IEP meetings within 30 calendar days of receipt of last evaluation report.

This data is validated through on site monitoring visits.

South Dakota will continue to use their state established timeline of 25 school days to complete evaluations.

Special Education Programs will ask districts to submit annually by June 30<sup>th</sup> the following information:

- Number of children for whom parental consent to evaluate was received for initial evaluation
- Number of children **not** determined eligible whose initial evaluations within 25 school days



- Number of children determined eligible whose initial evaluations were completed within 25 schooldays
- A narrative explanation for children whom consent to evaluate was received but initial evaluation or determination was not completed
- Range of days beyond the timeline when initial eligibility was determined (less than 5, 5-10, over 10 days)
- A narrative explanation of any reasons for the delays

Districts will submit this information directly to Special Education Programs through a state required form.

During Special Education Programs data retreat July 2006, district information will be analyzed in order to flag districts that have overdue evaluations.

- Using district provided information, Special Education Programs will diagnose why the district is showing overdue initial evaluations
  - If a district is showing overdue initial evaluations the first year, the district will need to review district data including policies, procedures and practices in referral, evaluation and eligibility determination.
  - If a district shows two consecutive years of significant overdue initial evaluations the district will be found out of compliance and a corrective action plan will be developed between the district and Special Education Programs.
  - The district will have 12 months to correct noncompliance.

#### Baseline Data for FFY 2005 (2005-2006):

	Number of Children	Number of Children with evaluations completed within timeline found eligible	Number of Children with evaluations completed within timeline found not eligible	Percent of children having initial evaluations completed within timeline
2005-2006	4202	3295	901	99.86%

#### Discussion of Baseline Data:

Special Education Programs collected and disaggregated the data at district level. If there were any questions about student's evaluations not meeting the timeline, districts were contacted directly. Any discrepancies were verified, explained, and/or corrections were made.

4,202 children had parental consent to evaluate. South Dakota had 4,196 children whose evaluations were completed within timeline; there were only 6 children who did not have evaluations completed within the 25 school days. The factors dealt with 2 cases of student illnesses during testing window, 3 difficulties in scheduling of evaluators, and one case the parent and evaluator had difficulties scheduling and completing the evaluation with 25 school days. This gave South Dakota a percentage of 99.86%.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days
2006 (2006-2007)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days
2007 (2007-2008)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days
2008 (2008-2009)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days
2009 (2009-2010)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days
2010 (2010-2011)	100 % of children with parental consent for initial evaluation, will be evaluated within 25 school days

**Improvement Activities/Timelines/Resources: new indicator**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Develop a Technical Assistance Guide/Frequently Asked Questions to guide districts in meeting timelines for initial evaluation, which addresses procedures for unusual circumstances</li> </ul>	Summer 2007	Special Education Programs, Response to Intervention Team, District Special Education Directors
<ul style="list-style-type: none"> <li>Districts that do not meet the 100% target will analyze data to determine</li> </ul>	Fall 2007 and ongoing	District Special Education Directors and district personnel

reasons/trends and solutions to meet and ensure they will meet timeline within one year of notification.		
<ul style="list-style-type: none"> <li>State will analyze state data and district self analysis to determine what resources or technical support needs to be provided.</li> </ul>	Winter 2007/2008 and ongoing	Special Education Programs, District Special Education analysis from Directors
<ul style="list-style-type: none"> <li>Training on the new Eligibility Guide and meeting timelines</li> </ul>	Fall 2007	Special Education Programs, Education Specialists

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 12: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

- a. # of children who have been served in Part C and referred to Part B for eligibility determination.
- b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- c. # of those found eligible who have an IEP developed and implemented by their third birthdays.
- d. # of children for whom parent refusal to provide consent caused delays in evaluation or initial services.

Account for children included in a but not included in b, c or d. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed and the reasons for the delays.

**Percent = [(c) divided by (a – b – d)] times 100.**

**Overview of Issue/Description of System or Process:**

The Department of Education as lead agency for Part C funds nine local programs with 22 service coordinators who are responsible for specific counties, contract for service coordination at the local level to conduct child find, arrange for evaluations and develop Individual Family Service Plans (IFSPs). Part C services are delivered by qualified personnel, for example community based agencies, school districts, and private contractors.

The transition from Part C to Part B starts when the child is two and a half years old. Service coordinators will make a written referral to school districts for the purpose of evaluations to determine eligibility. Local school districts conduct evaluations and determine eligibility for children who are referred from Part C to Part B preschool in cooperation with the local

service coordinator. The school district initiates the evaluation process following all procedural safeguards.

**Transition to preschool program.** Each local school district shall develop policies and procedures for the transition of children participating in the early intervention program under Part C of the Individuals with Disabilities Education Act (IDEA) who are eligible for participation in preschool programs under Part B of IDEA.

Each district's policies and procedures must include the following:

- (1) A description of how the families will be included in the transitional plans;
- (2) Procedures to be used by the district for notifying the local network in which the child resides of the need for transitional planning;
- (3) Procedures for convening, with the approval of the family, a conference between the network, family, and district;
- (4) A requirement for convening the conference at least 90 days before the child is eligible for the preschool program under Part B of Individual with Disabilities Education Act; and
- (5) Procedures for reviewing a child's program options for the period beginning with the day a child turns three and running through the remainder of the school year including the development of an individual education program consistent with this article.

Each district shall participate in transition planning conferences arranged by the IDEA, Part C program.

The district shall provide the family with information on the eligibility and evaluation requirements under Part B of Individual with Disabilities Education Act, including the parents' and district's rights regarding procedural safeguards.

**Baseline Data for FFY 2004 (2004-2005):**

a. # of children who have been served in Part C and referred to Part B for eligibility determination

N = 583

b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays

N = 135

c. # of those found eligible who have an IEP developed and implemented by their third birthdays

N = 401

90 % of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

N = 90%

**Discussion of Baseline Data:**

Monitoring Priority: Effective General Supervision Part B Effective Transition Indicator #12		
Exiting Part C Programs	Measurement	2004-2005
Total Exits of 3 year olds	a. # of children who have been served in Part C and referred to Part B for eligibility determination.	583
Part B ineligible	b. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays	135
Part B eligible (on an IEP by 3rd birthday)	c. # of those found eligible who have an IEP developed and implemented by their third birthdays.	401
Percent = c divided by a-b times 100.		90%

Eligibility testing for Part B preschool is offered to all parents transitioning out of Part C. Out of the 583 children served in Part C and referred to Part B for eligibility determination 38 were not determined eligible by their third birthday. Parents refused Part B services for 9 more children. South Dakota has had a steady increase in the number of students served in Part C and referred to Part B for eligibility determination. South Dakota also had a large increase in the number of children who were determined not eligible.

In an effort to ensure that children referred by Part C prior to age 3, who are found eligible for Part B, have an IEP developed and implemented by their third birthday Special Education Programs has appointed a Part B 619 coordinator to work with Birth to 3 Connections staff on this important issue. In order to determine if noncompliance exists,

further investigation is needed on the 38 children whose determination was not completed by their third birthday.

- A report has been developed indicating which children are exiting Part C so the Part B 619 coordinator can be in contact with district personnel that are not getting eligibility determination completed by the child's third birthday.
- An inquiry request is being developed to obtain information from district personnel to determine what valid and invalid reasons why an IEP was not in place by the child's third birthday.
- The Part B 619 Coordinator along with the Special Education Program regional staff will analyze the district information to determine if a finding needs to be issued to the district
- Districts with valid reasons why an IEP was not in place by the child's third birthday will not receive a finding.
- A letter will be sent to districts indicating that Special Education Programs has issued a finding of noncompliance.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2006 (2006-2007)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2007 (2007-2008)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2008 (2008-2009)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2009 (2009-2010)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2010 (2010-2011)	100% of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

#### Improvement Activities/Timelines/Resources:

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>• Special education eligibility guide will be</li> </ul>	Summer of 2007	Special Education Program staff, Birth to 3 Connections,

**SPP Template – Part B (3)****South Dakota**  
State

updated to include the necessary evaluations for those students transitioning from Part C to Part B.		eligibility task force, Mountain Plains Regional Resource Center, Special Education Program consultant
<ul style="list-style-type: none"><li>Continue to develop greater communication between Part B and Part C staff.</li></ul>	2006 and on going through 2011	Special Education Program staff, Part C staff
<ul style="list-style-type: none"><li>Develop a Technical Assistance guide for districts addressing students transitioning from Part C to Part B.</li></ul>	Fall 2006 through 2007	Special Education Program staff, Part C staff, Mountain Plains Regional Resource Center, Education Specialists
<ul style="list-style-type: none"><li>Part C staff will collect data monthly for all children who are Part B eligible, but who did not have an IEP in place by their third birthday.</li><li>Part B 619 coordinator will contact districts to find out the reason for the IEP not being in place by the child's third birthday.</li></ul>	January 2006 through 2011	Part C staff, Part B 619 Coordinator, district staff
<ul style="list-style-type: none"><li>Part B 619 coordinator will compile district information to determine valid and invalid reasons for the IEP not in place by the child's third birthday.</li></ul>	February 2006 and on going through 2011	Part B 619 Coordinator, district staff, Early Childhood Outcomes Center, Special Education Program Staff



**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**Percent = # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the post-secondary goals divided by # of youth with an IEP age 16 and above times 100.**

**Overview of Issue/Description of System or Process:**

Previous to the 2007-2008 school year, the state of South Dakota was on a five year monitoring cycle (approximately 30-35 school districts per year). Indicator 13 data was collected through the previous monitoring cycle when on-site visits were conducted. In 2007-2008 school year, Special Education Programs (SEP) moved to an Accountability process for monitoring LEAs. In order to obtain indicator 13 data collections, SEP and Transition Services Liaison Project (TSLP) staff developed a Transition Self-Monitoring Process.

The process developed needed to ensure that 100% compliance would be met by the LEAs, valid, accurate, and reliable data would be achieved, and

- Step 1: District personnel will be trained in utilizing the Indicator 13 checklist.
- Step 2: District personnel will use the Indicator 13 checklist as they complete transition IEPs for their students age 16 years or older.
- Step 3: Once all checklists are complete for the district's representative sample of disabilities for students 16 years and older, the district will fill out an overall district self-assessment report.

- Step 4: District will submit to Special Education Programs prior to **April 1:**
- a. Checklist Reporting Form along with a copy of the IEP
  - b. District Self-assessment Report

**Submit information to:**

South Dakota Department of Education  
Special Education Programs  
Att: Melissa Flor  
700 Governors Drive  
Pierre, South Dakota 57501

- Step 5: Special Education Programs will check the reliability and validity of the checklists the district submits.
- a. The reviewer will fill out a feedback form for each IEP reviewed. The feedback form will be returned to district personnel.
  - b. Special Education Programs may contact district personnel if there are questions or additional information is required.
- Step 6: Completion of checklist review will include:
- a. Districts will receive feedback forms for all reviewed IEPs.
  - b. Districts will then be notified if there are any compliance issues. If there are compliance issues, then a corrective action plan will be required.
  - c. Districts will also be notified of their performance on the State Performance Indicator 13 which will be publicly reported in February 2009.

South Dakota Special Education Programs has now moved to an Accountability process for monitoring LEAs. Monitoring activities in the area of transition include assessment, outcomes, present levels of performance, course of study, team membership, activity recommendations, transition goals, graduation requirements, transfer of rights, and overall coordination of transition activities. South Dakota's current definition of coordinated activities is: "activities that reflect coordination between the school, the student, the family or other agencies, and post school programs, services, and supports that are based on the individual student's needs, preferences, and interests". Due to the five year monitoring cycle Special Education Programs along with Transition Services Liaison Project staff will update the transition portion of the IEP and create a new self-assessment monitoring for the accountability. the Continuous Improvement Monitoring Process to more adequately include this monitoring priority.

South Dakota will collect data from state monitoring to determine the percent of youth aged 16 and above with an Individualized Education Program (IEP) that includes measurable, postsecondary goals (that are based on age-appropriate assessment) and coordinated transition services (which by definition includes courses of study) that will reasonably enable the student to meet their postsecondary goals.

**Baseline Data for FFY 2005 (2005-2006):**

	2005-2006
Number of files that met the criteria	239
Number of files reviewed	374
Percentage	63.90%

**Discussion of Baseline Data:**

South Dakota's stakeholder team established rigorous criteria for Indicator 13. A form was designed which required that all elements of the transition process be in place for each file. South Dakota has infused the elements from Ed O'Leary's TOPS process into its monitoring process. All of the individual components had to be present, and the file as a whole also had to reflect that it would assist the student in meeting the stated measurable postsecondary goals. 63.90% of students had a coordinated set of activities, goals, services to meet post secondary goals.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of students 16 years and older will have a coordinated set of activities
2006 (2006-2007)	100% of students 16 years and older will have a coordinated set of activities.
2007 (2007-2008)	100% of students 16 years and older will have a coordinated set of activities.
2008 (2008-2009)	100% of students 16 years and older will have a coordinated set of activities.
2009 (2009-2010)	100% of students 16 years and older will have a coordinated set of activities.
2010 (2010-2011)	100% of students 16 years and older will have a coordinated set of activities.

**Improvement Activities/Timelines/Resources:**

**SPP Template – Part B (3)****South Dakota**  
State

Activities	Timelines	Resources
<ul style="list-style-type: none"><li>• Provide training on the Indicator 13 transition checklist</li></ul>	Fall 2006 and on-going	Mountain Plains Regional Resources Center, Transition Service Liaison,
<ul style="list-style-type: none"><li>• Summer Institute is a conference for teachers of transition age students held annually.</li></ul>	June 2007 and on-going	Transition Service Liaison, Special Education Programs, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"><li>• Conduct on-site technical assistance through invitation or monitoring</li></ul>	Winter 2007 and on-going	Special education Programs and Transition Services Liaison Projects
<ul style="list-style-type: none"><li>• Conduct workshops for teachers and train the trainers through<ul style="list-style-type: none"><li>• South Dakota Council Exceptional Children (SDCEC conference)</li><li>• Workshops</li><li>• Regional trainings</li></ul></li></ul>	Fall 2006 and on-going	Transition Services Liaison Project, Special Education Programs, and Education Specialists
<ul style="list-style-type: none"><li>• Development of self-reporting system for districts.</li></ul>	2007 -2008 school year	Special Education Programs and Transition Services Liaison Projects

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / Effective Transition**

**Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**Percent = # of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school divided by # of youth assessed who had IEPs and are no longer in secondary school times 100.**

**Overview of Issue/Description of System or Process:**

One year ago the State of South Dakota did not have a process established for collecting the required data to satisfy the requirements for Indicator #14. However, due to the strong commitment from the South Dakota Department of Education (SDDOE) and the South Dakota Special Education Programs (SDSEP), Black Hills State University (BHSU) in conjunction with the SDDOE/SDSEP and direction and consultation from The National Post-School Outcomes center (NPSO) a process was developed to collect the necessary data from the state's school districts and report the findings to the federal, state and local educational agencies. SDSEP has set up a post-school outcomes database that contains student contact information and exit survey information to review the transition portion of the students' final Individualized Education Program (IEP), in addition to other information listed below. Information in this database does include the following:

- Student's name, address, telephone number, DOB, cell phone number etc.
- Year in which the student graduated
- Exit status e.g., regular diploma, aged out, GED, dropped out, etc.
- Race/Ethnicity

- Disabling Condition
- From final IEP: Anticipated post school outcomes-Employment/Education
- Adult Services linkages
- Participation status in statewide assessments
- English Language Learner
- Work/Volunteer status during last year of school
- Number of Math classes taken in school e.g., General Math, Algebra, etc.
- Contact Information after leaving High School [**See Appendix A**]

During this past year, information for each exiting student, including dropouts\* (**see below**) on an IEP was gathered by each individual school district in South Dakota. School Districts determined the most appropriate staff member to collect the exit information, mentioned above, and submit to the secured website. This information was gathered prior to the student's exit from High School from May 15 to August 1, 2006. The SDSEP, BHSU, and individual school districts have access to the website/data collection information via a secured website. This data will be gathered and analyzed at the state and local levels. At this point districts have supplied information suggesting approximately 650 students on IEP's exited the K-12 system in South Dakota during the 2005-2006 school year. School district personnel supplying the required information for the secured website were favorable to the process developed as determined by qualitative feedback received from approximately 50 school districts at the Summer Transition Institute in Sioux Falls, June 2006. Because of the size of South Dakota all students exiting will be included in the process of collecting data for exiting students on IEP's and subsequent follow-up surveys the next year versus utilizing a sample of the school exiters/leavers.

In addition to the exit survey database (data collected prior to graduation/exiting school system) the data collection procedures will also consist of a telephone survey conducted either with the graduate/exiter or a family member of the graduate/exiter or school personnel. Prior to the actual survey, each student listed on the database will receive a letter prior to the actual phone interviews approximately one month (March 2007) before the beginning of the survey. This letter will inform the student/parent/guardian about the nature of the survey. The survey will be conducted between the months of April and September beginning in 2007. Indicator #14 requires states to collect data for subsequent years, as well, through the 2010-2011 school year. The survey in the spring of 2007 will probe the current life status of the graduate as well as aspects of the graduate's transition plan. Information collected from the phone survey will identify how exiting students from the 2005-2006 school year achieved their respective post-school goals in employment, post-secondary attendance and agency linkages. Information from the telephone survey will include the following at a minimum:

- Individual interviewed e.g., student, parent, guardian, school personnel
- Enrollment in any type post-secondary school or training program
  - (\*\*South Dakota's definition of postsecondary school is defined below)
- Whether student is currently enrolled in any post-secondary setting

- If not enrolled, explanation of why not
- Contact with an adult service agency
- Currently employed e.g., competitively, Military, Sheltered, etc.
  - (\*\*South Dakota's definition of competitive employment defined below)
- Name of Employer
- Number of hours worked
- Wages paid
- If not employed, explanation of why not
- Living arrangements e.g., home, apt, etc.
- Health Insurance coverage?
- Eight areas where the student may have had difficulty since leaving high school e.g., employment, living, education, finances, medical care, transportation, legal, social/leisure.

The telephone survey will be conducted with the youth and/or family member or school personnel to gather information about the 2005-2006 exiting student's attendance at 2-year and 4-year colleges and universities, at vocational and technical schools and training programs and their employment status since leaving the K-12 school system in South Dakota. The data provide information about linkages with adult service agencies including Division of Vocational Rehabilitation, Division of Developmental Disabilities, and other appropriate agencies as noted above. The exiters/leavers in this study are youth that graduated, dropped out, or aged out of high school at age 21 during 2005-2006 and were contacted by BHSU personnel prior to one year after graduation. **[See Appendix B]**

Beyond the requirements of collecting and reporting the data will be the use of this information for program improvement at the LEA level. The post-school outcome data will be reported at the federal, state, and district level. Data will not be reported if N sizes are too small. In South Dakota that will mean N sizes below 10. Goals can then be developed at the state and local level to improve programs and outcomes, practices and procedures, cross agency coordination, collaboration and policy. The process of collecting data will allow individual districts to examine and use the data to set targets and develop activities for program improvement to increase post-school outcomes. Information collected from Appendix A & B will be reported per the Public Reporting Requirements for inclusion in the February 1, 2008 APR.

A statistical analysis utilizing computer software e.g., Excel and SPSS has been developed and will be incorporated into the final report for the South Dakota Department of Education & Special Education Programs. Outside consultation will continue to be utilized as necessary to appropriately interpret the findings from the data collected.

Based upon previous experience collecting data from school district this past year, some changes are suggested for the secured website to better collect necessary data to address Indicator #14 of the SPP/APR. Among those changes are the following:

- Include a section for the name of the person submitting the information(address, phone etc) so contact could be made for any further clarification of submitted data
- Include an option on the secured website that would require all requested information be provided before the school district entering the information can successfully submit the required data.
- Include a place on the secured website that a school can check (X) if they have no exiters/leavers from their school district for a particular year. e.g., available data suggest approximately 40 school districts in the State of South Dakota had no exiters/leavers on IEP's during the 2005-2006 school year.
- Include questions related to participation by the exiting student in the following activities:
  - Youth Leadership Forum
  - Self-Advocacy
  - Project Skills

South Dakota's definition of competitive employment, postsecondary school, and dropouts.

**\*\*\*Competitive Employment** is defined as: Competitive Employment for pay ---Full Time (35+ hours) per the Rehabilitation Act definition:

Competitive employment means work- (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

**\*\*Postsecondary School** is defined as: Full time (12+ credit hours) Part time (fewer than 12 credit hours)

In South Dakota Postsecondary Schools would include any of the four-year institutions covered under the Board of Regents, private colleges/universities, or any of the vocational/technical institutes located in the state and would include "the provision of a formal instructional program whose curriculum is designed primarily for students who are beyond the compulsory age for high school. This includes programs whose purpose is academic, vocational, and continuing professional education."

Source: National Post-School Outcomes Center (National PSO)

**\*Dropouts defined:** According to South Dakota Department of Education a dropout is defined as: An individual who was enrolled in school at some time during the previous school year and was not enrolled at the beginning of the current school year and has not graduated from high school or completed a state or district approved educational program and does not meet any of the



following exclusionary conditions: transfer to another public school district, private school, or state-or-district approved educational program including correctional or health facility or temporary absence due to suspension or school-excused illness or death.

**Baseline Data for FFY 2006 (2006-2007):**

	Category	Number	Percentage
A.	Interviewed Exiters	313	100%
B.	Attended Post-Secondary School only	22	7%
C.	Competitively employed only	145	46%
D.	Attend Post-Secondary School and Competitively Employed	96	31%
E.	Neither attending post-secondary or competitively employed	21	7%
F.	Answered Don't Know	29	9%
<b>Percentage of exiters surveyed, who are competitively employed in post-secondary school or both (B +C + D divided by A)</b>		<b>263</b>	<b>84%</b>

**Discussion of Baseline Data:** New Indicator

November 27, 2007, a stakeholder group comprised teachers, special education administrators, parents, transition liaison service representative, and vocational rehabilitation created baseline and targets for Indicator 14.

South Dakota collected data for Indicator #14 during the 2005-06 school year for the first time during FFY 2006. In preparation for collecting student demographic profiles, the Special Education Programs (SEP) in the South Dakota Department of Education (SDDOE) developed a secured website which allowed appropriate school district personnel to provide information electronically for all the leavers/exiters e.g., address, phone number/s, email, disabling condition etc.

The information schools provided was developed and in accordance with information provided by the National Post-School Outcomes Center (NPSO) at the University of Oregon and Mountain Plains Regional Resource Center (MPRRC), Logan Utah. After collecting the student demographic profiles from the state's school districts, the SEP contracted with Black Hills State University (BHSU) to complete the post-school survey from April 1, 2006 through September 30, 2006.

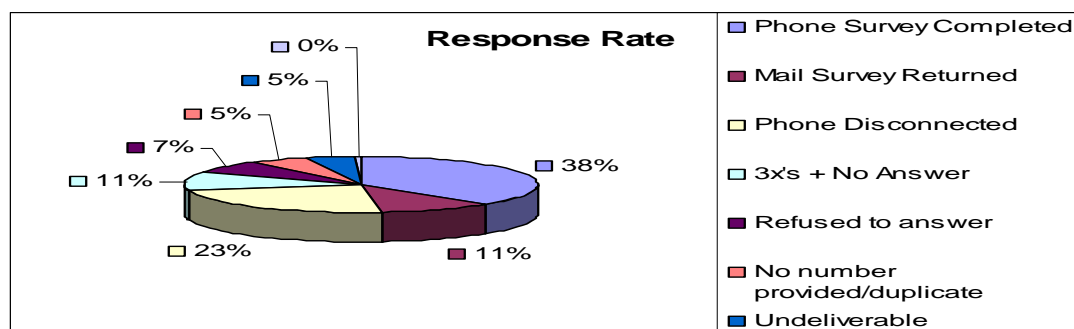
Prior to beginning the harvest of the data, phone solicitors (all were current special education teachers with knowledge of transition) were hired, trained, and in-serviced regarding the process of collecting data for the post-school survey. Approximately 3 weeks before the actual phone solicitation began; each exiting student from the 2005-06 school year received a one page letter and paper-pencil survey form from the SDDOE/SEP/BHSU. This letter informed the former student of the impending phone survey and also provided the student the opportunity to complete the post-school survey and return in a business envelope as an alternative to receiving and completing a phone survey.

The response rate in South Dakota for exiters during the 2005-06 school year was as follows:

- 11% of exiters responded by mail survey
- 38% of exiters completed the phone survey
- 23% of exiters phones were disconnected
- 11% of exiters were contacted 3+ times with no answer
- 7% of exiters refused to answer the survey
- 5% of exiters did not have a valid phone number provided
- 5% of exiters addresses were undeliverable

The process used in South Dakota resulted in approximately 49% (n = 313) of all exiters from the 2005-06 school year being contacted and completing the post-school outcome survey. See Figure 1.

Figure 1.



### Validity and Reliability

Table 1.

	Overall	LD	ED	MR	AO	Female	Minority	ELL
Target Leaver Totals	578	359	36	67	116	218	124	14
Response Totals	284	178	12	32	62	100	39	6
Target Leaver Representation		62.11%	6.23%	11.59%	20.07%	37.72%	21.45%	2.42%
Respondent Representation		62.68%	4.23%	11.27%	21.83%	35.21%	13.73%	2.11%
Difference		0.57%	-2.00%	-0.32%	1.76%	-2.50%	-7.72%	-0.31%

Note: positive difference indicates over-representation, negative difference indicates under-representation. A difference of greater than 1% is highlighted in red. We encourage users to also read the Westat/NPSO paper Post-School Outcomes: Response Rates.

**\*NOTE:** The difference in response rates (313 vs. 284) occurred because not all information was provided by all respondents.

Comparing the respondent sample of exiters by disabling condition with the representative sample of all exiters in South Dakota suggests the respondent data harvested represents each disabling condition of all student exiting during 2005-06. In South Dakota there were 578\* valid

target leavers. The response total of 284 surveyed students was approximately 49% of all target leavers/exiters.

### Disability Conditions

- The total number of target leavers/exiters labeled learning disabled were approximately 62% of this population. The respondent representation of students with learning disabilities was approximately 63%.
- Students leaving/exiting during diagnosed with emotional disturbance was approximately 6% of the leavers/exiters. The respondent representation of students with emotional disturbance was approximately 4%.
- Children identified with mental retardation (cognitive impairment) comprised about 11.5% of all leavers. Children identified with mental retardation (cognitive impairment) harvested during the phone survey accounted for approximately 11% of all respondents.
- All other disabling conditions of leavers/exiters during 2005-06 totaled about 20% of the population. All other disabling conditions of students surveyed were about 22% of the respondents.

### Gender

There were about 38% of exiters/leavers that were female and approximately 35% of respondents that were female.

### ELL

English Language Learners comprised approximately 2% of both the target leavers as well as the respondent.

### Minority

The one area that was not representative of the target leavers was the minority category. Approximately 21% of all leavers were in the minority category, yet only about 14% of respondents were in this category. See Table 1 [Response Calculator]

**Table 2**

Exit Status of exiters	Percentage Students demographic information collected	Percentage of exiters interviewed
N harvested	627	313
Regular Diploma	75%	82.3%
Aged Out	6.4%	6.4%
Grad with other diploma	1.8%	.6%
Dropped Out	14%	8.7%
Other	2.7%	1.9%

### Discussion of Improvement Activities

South Dakota is aware that minority representation of respondents is not commensurate with the exiter/leaver representation. In South Dakota the largest minority in the state is the American Indian. Of those students leaving/exiting during 2005-06 15.1% were identified as American Indian (n = 97). The American Indian respondents comprised 9.3% (n = 29) of all

completed post-school outcome surveys. It is estimated an additional 18 American Indian exiters/leavers post-school outcome surveys needed to be collected to make the category representative of all exiters/leavers. To address this need area the following process will be implemented as improvement activities:

- Send out survey letters to schools with high populations of American Indians at the beginning of the April 1, 2008 data collection period.
- Contact influential members of local school districts who are familiar with the leavers/exiters and have them collect the necessary survey data.
- Identify and contact key stakeholders of the American Indian population to assist with the collection of post-school outcome information.
- School districts will remind students/parents/guardians at the last IEP meeting prior to exiting that they can anticipate a phone survey beginning in April of the following year collecting post-school outcome information.

Reviewing districts meeting the minimum N of 10, indicated that exiters in South Dakota are doing very well in post-secondary goals.

<b>School</b>	<b>n harvested</b>	<b>Postsecondary ONLY</b>	<b>Employment ONLY</b>	<b>Postsecondary &amp; Employment ONLY</b>	<b>PS ONLY +Employ ONLY + % PS &amp; Employment ONLY (%)</b>
1	18	2	7	7	16/18 (88.90%)
2	10	0	4	6	10/10 (100.00%)
3	10	2	3	5	10/10 (100.00%)
4	13	0	9	3	12/13 (92.30%)
5	36	1	22	8	31/36 (86.10%)
6	42	3	23	9	35/42 (83.33%)
7	21	0	12	4	16/21 (76.19%)
8	12	0	9	3	12/12 (100.00%)

#### Improvement Activities/Timelines/Resources: new indicator

FFY	Measurable and Rigorous Target
2005	A status report on the results of the exit survey of students leaving in the

(2005-2006)	school year 2005-2006 will be provided in the February 1, 2007 SPP.
2006 (2006-2007) Baseline	84% of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.
2007 (2007-2008)	84% of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.
2008 (2008-2009)	84% of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.
2009 (2009-2010)	84.2% of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.
2010 (2010-2011)	84.5% of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school.

**Improvement Activities/Timelines/Resources: new indicator**

Activities	Timelines	Resources
<b>Improve Data Collection:</b> Provide teachers, students, and parents information on the survey: <ul style="list-style-type: none"> <li>• Further clarification on definitions</li> <li>• Provide teachers and students the survey questions before they leave school.</li> <li>• Work with students to complete the forms.</li> </ul>	2007 to 2010	Special Education Programs TSLP staff BHSU

<ul style="list-style-type: none"> <li>Review Appendix A information at the exit IEP meeting and go over Appendix B survey.</li> <li>Contact Case Manager for non-responders or hard to find students.</li> <li>Encourage students to stay in contact with service agencies after IEP ends.</li> <li>Beginning in 2008-2009, SEP will analyze post-secondary employment and education of those students who attended Catch the Wave, project skills, and Youth Leadership Conference.</li> <li>Provide data entry training every spring</li> <li>Reviewing data entered into the online system in the fall to ensure all required data is completed for appendix A.</li> </ul>		
<b>Post-Secondary Education</b> <ul style="list-style-type: none"> <li>Conduct and analyze survey results completed by disability coordinators to students</li> </ul>	2007-2010	Disability Coordinators TSLP
<ul style="list-style-type: none"> <li>Inform students, teachers, and parents about the type of accommodations that are allowed at post-secondary school.</li> <li>Tip sheet for parents whose child plans to attend post-secondary.</li> <li>Provide information on Post-secondary schools that assist or for student with disabilities.</li> <li>Increase Catch the Wave participation for students, parents, and teachers.</li> </ul>	2007-2010	TSLP SEP
<b>Employment</b> <ul style="list-style-type: none"> <li>Provide accurate information to teachers about vocational rehabilitation and order of selections.</li> <li>Train on interviewing,</li> </ul>	2007-2010	Vocational Rehabilitation SEP TSLP

<p>applications, etc...</p> <ul style="list-style-type: none"> <li>• Create interagency collaboration and provide information to students, district personnel, and parents about the resources they provide.</li> <li>• Improve services or resources in the rural or small town setting.</li> </ul>		
<ul style="list-style-type: none"> <li>• Provide training on implementing self-directed IEP or self-advocacy training for teachers, parents, and students.</li> </ul>	2007-2010	<p>TSLP SEP: Mini-grants Transition Summer Institute Youth Leadership Forum</p>

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.**

(20 U.S.C. 1416 (a)(3)(B))

**Measurement:**

Percent of noncompliance corrected within one year of identification:

- a. # of findings of noncompliance.
- b. # of corrections completed as soon as possible but in no case later than one year from identification.

Percent = [(b) divided by (a)] times 100.

For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and enforcement actions that the State has taken.

**Overview of Issue/Description of System or Process:**

South Dakota is on a five year monitoring cycle where 1/5<sup>th</sup> of the school districts are monitored annually. This involves approximately 35 districts per year.

Currently, South Dakota's monitoring revolves around six principles. Principle 1 General Supervision has seven sub-categories: child find, referral procedures, Children voluntarily enrolled by parents in private schools, students placed by the school district in private schools, improving results through performance goals and indicators, suspension and expulsion rates, personnel and professional development. Principle 2 Free Appropriate Public Education has two sub-categories: FAPE and suspension/expulsion. Principle 3 has five sub-categories: comprehensive evaluation, written Notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, and reevaluation and continuing eligibility. Principle 4 has six sub-categories: procedural safeguards notice, surrogate parents, consent, confidentiality and access to records, complaint procedures, and due process hearings. Principle 5 Individual Education Program five has sub-categories: IEP team, written notice for IEP meeting, IEP content, transition, and other IEP requirements. Principle 6 Least Restrictive Environment is its own category.



School districts are notified nine months to a year prior to be monitored. Special Education Programs has an annual December training where districts send in three to four staff members who are a part of the school's special education services program and possible members of the steering committee. At the training districts learn who their team leaders are and get an overview of the monitoring process. Team leaders are educational specialists who contract with South Dakota Special Education Programs. The team leaders set up pre-onsite visits with each district to help prepare the school for the next year's onsite monitoring visit. The education specialists will conduct an IEP file review with each special education and related service provider at the pre-onsite visit. They are also available for any questions during the Continuous Improvement Monitoring Process and district Self-Assessment. The education specialists will spend a minimum of one day with each district in preparation for the onsite monitoring visit.

In preparing to monitor districts, Special Education Programs provides each district that is to be monitored a set of state data tables which include the following: general district information, district instructional staff information, suspension and expulsion information, statewide assessment information, enrollment information, placement alternatives, disabling conditions, exiting information, placement by age, placement by disabling condition, early intervention (Part C) exit information, complaints, hearings, and monitoring. The district uses the data tables to complete their self assessment. The self assessment and data tables are reviewed by educational specialists who are assigned to certain districts as team leaders.

After a school has been monitored the team leader writes a district report and sends it for review to Special Education Programs. Special Education Programs either approves or disapproves the report; if the report is disapproved it is sent back to the team leaders, corrected and then approved. Once the report has been approved, a copy is sent to the district and the team leader. If necessary, the district and team leader work together to write an Improvement Plan Progress Report (IPPR). Once the Improvement Plan Progress Report is written it is sent to Special Education Programs for approval. After the Improvement Plan Progress Report is approved the district has 6 months to correct noncompliance before the first Improvement Plan Progress Report is due. Any noncompliance issues unmet after the 6 month Improvement Plan Progress Report move to the 12 month Improvement Plan Progress Report. At the 12 month Improvement Plan Progress Report districts are expected to be in compliance. Through Office of Special Education Program's clarification on what constitutes one year, Special Education Programs will begin the 12 month timeline as soon as districts are notified of findings of noncompliance instead of after the approval of the Improvement Plan Progress Report. Previously, Special Education Programs did not count the summer months as part of the year in which districts have to complete out of compliance issues. This will be corrected for the current monitoring cycle.

South Dakota had a staff of 1 director and 3 regional staff representatives in 2003-2004. This number is half of a full staff for Special Education Programs. The 3 Special Education Programs staff were regional representatives. They answered daily technical assistance questions via phone calls and email for 1/3 of the state's school districts, participated in complaint investigations, participated in onsite compliance monitoring, prepared presentations for state conferences as well as district requested presentations, sat on various boards in the state, and worked on special projects. One of the Special Education Programs staff monitoring duties is to review the Improvement Plan Progress Report (IPPR) at the six month due date and notify the district, by letter, which areas were accepted as being met and which areas still need to be met. Once all findings of non-compliance have been met, Special Education Programs notified the district by mail that all areas in the Improvement Plan Progress Reports had been satisfactorily met.

South Dakota will conduct data review's to incorporate the new indicators within the current monitoring system for the year 2005-2006. Any district with noncompliance findings occurring from the data review will warrant further in-depth review by Special Education Programs. South Dakota has formed a partnership with the National Center for Special Education Accountability Monitoring to help analyze data and to explore focused monitoring areas. South Dakota intends to modify the current monitoring system after the five year cycle is complete (2006-2007).

In an effort to ensure that districts are in compliance within one year after the issuance of the monitoring report, Special Education Programs will begin having districts send in their progress reports at four months, eight months and twelve months. Special Education Programs staff will have regular contact with districts between the eighth month and the twelfth month in order to assure compliance within one year.

With the assistance of our partner, the National Center for Special Education Accountability Monitoring, South Dakota will develop their Continuous Improvement Monitoring Process to include a focused monitoring piece. This focused piece will include some of the monitoring priority indicators. Priority areas will need to be established based upon a district's level of compliance and greatest need.

South Dakota will continue to address findings of noncompliance through the self-assessment tool, onsite monitoring, data review and the Improvement Plan Progress Report. Districts will continue to identify their own noncompliance findings during the self-assessment process. Onsite monitoring will either validate or not validate the district's compliance and noncompliance issues. Education Specialists will continue to assist the districts in developing their Improvement Plan Progress Report based on any noncompliance issues from the onsite monitoring as well as data reviews completed by Special Education Program staff. The districts will complete all noncompliance monitoring findings within one year from the date of notification.

**Baseline Data for FFY (2003-2004 Monitoring year) 2003:**

- A. 80% of noncompliance made related to monitoring priority areas and indicators corrected within one year of identification:
  - a. number of findings of noncompliance made related to monitoring priority areas and indicators      a. = 306
  - b. number of corrections completed as soon as possible but in no case later than one year from identification      b. = 245
- B. 0% of noncompliance related to areas not included in the above priority areas and indicators corrected within one year of identification:
  - a. number of findings of noncompliance made related to such areas      a. = 0
  - b. number of corrections completed as soon as possible but in no case later than one year from identification      b. = 0
- C. 0% of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification:

a. number of agencies in which noncompliance was identified through other mechanisms

a. = 0

b. number of findings of noncompliance made      b. = 0

c. number of corrections completed as soon as possible but in no case later than one year from identification      c. = 0

#### Discussion of Baseline Data:

	# of findings of Noncompliance	# of Corrections W/I 1 Yr.	% of Corrections W/I 1 Yr.
2003-2004			
<b>Referral/Evaluation/Eligibility/Placement</b>	165	136	82%
<b>Procedural Safeguards</b>	10	9	90%
<b>IEP</b>	127	98	77%
<b>Least Restrictive Environment</b>	4	2	50%
<b>Total</b>	306	245	80%

- South Dakota Special Education Programs monitored 34 districts in 2003-2004. In those 34 districts monitored there were 306 findings of noncompliance. 245 findings were corrected within 12 months of the approval of the district's Improvement Plan Progress Report. Of the remaining 61 findings, 27 findings were corrected by the time this State Performance Plan was submitted and the remaining 34 findings will be corrected by the end of December 2005.
- 23 of the 34 districts corrected their noncompliance findings within 12 months of the approval of the districts Improvement Plan Progress Report. Of the remaining 11 districts, 7 districts corrected their noncompliance findings by the time this State Performance Plan was submitted. The remaining 4 districts will be closed by the end of December 2005.
- 80% of South Dakota's findings of noncompliance were corrected within 12 months.
- South Dakota does have policies and procedures in place for districts that address noncompliance.
- Some of the technical assistance that Special Education Programs have provided includes onsite workshops and trainings for district special education staff, assisting district personnel in updating forms and district procedures, and access to education specialists and Transition Service Liaison personnel.

Special Education Programs has studied the data and has identified the following:

- South Dakota Special Education Programs has determined that losing half of the Special Education Programs staff was a significant barrier for the 2003-2004 and 2004-2005 school years. With only 3 staff people to complete the Improvement monitoring and subsequent follow-through on progress, Special Education Programs found it difficult to

keep up with the Improvement Plan Progress Report timelines as well as complete all other required duties. As of September 2005 Special Education Programs is now fully staffed. Special Education Programs has 1 director and 6 program staff. Having a full staff will help to ensure that Improvement Plan Progress Report timelines are followed.

- Some districts have such a small student population they were not able to complete some of the noncompliance issues within the 12 month timeframe because they may not have had another student to show they were completing the process accurately. An example of this may be in the area of procedural safeguards: a student and parent must be informed of transfer of parental rights one year before the student turns 18. A district may not have another student who is turning 17 within the 12 month timeframe. In the future, South Dakota will ensure that all evidence of change will be required to be completed within one year. To ensure districts being able to close out in 12 months, Special Education Programs will have districts review, revise and implement their policies and procedures to show evidence of change.
- The monitoring timeline did not start until the Improvement Plan Progress Report was approved by Special Education Programs. This timeline will change for the current monitoring cycle. The 12 month timeline will begin as soon as districts receive the letter from Special Education Program stating the areas of noncompliance. This will require Education Specialists, district special education directors, and Special Education Program staff to work quickly to complete the district's Improvement Plan Progress Report within 12 months of receiving the letter of identified noncompliance. Special Education Programs will implement this through OSEPs clarifications on what constitutes a year.
- The monitoring timeline did not include the summer months because no schools were in session during this time. South Dakota will now include summer months within the 12 month timeline.
- South Dakota is looking at the current monitoring data Special Education Programs collects in order to find ways to focus our monitoring efforts related to the Part B SPP/APR Monitoring Priorities and Indicators. Special Education Programs will be using the Office of Special Education Programs (OSEP) document Part B Monitoring Related Requirements and Investigative Questions Table as well as our National Center for Special Education Accountability Monitoring (NCSEAM) partner to assist with this process.

Statewide and local monitoring data will be reviewed so that technical assistance is aligned with systemic issues identified through monitoring

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of noncompliance completed within one year
2006 (2006-2007)	100% of noncompliance completed within one year

2007 (2007-2008)	100% of noncompliance completed within one year
2008 (2008-2009)	100% of noncompliance completed within one year
2009 (2009-2010)	100% of noncompliance completed within one year
2010 (2010-2011)	100% of noncompliance completed within one year

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Formed a partnership with National Center for Special Education Accountability Monitoring</li> </ul>	September 2005	Special Education Program staff, Educational Specialists, Transition Services Liaison Project staff, National Center for Special Education Accountability Monitoring, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>Notify all monitored districts that all noncompliance issues must be completed within one year</li> </ul>	January 2006	Special Education Program staff, Educational Specialists, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Partner with NCSEAM to facilitate analyzing state monitoring data</li> </ul>	July 2006	Special Education Program staff Educational Specialist, Transition Services Liaison Project staff, National Center for Special Education Accountability Monitoring, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>Revise current monitoring system to include all indicators and noncompliance areas identified through other</li> </ul>	Winter and Spring 2007	Special Education Program staff, Educational Specialist, Transition Services Liaison Project staff, National Center for Special Education Accountability

## SPP Template – Part B (3)

## South Dakota State

mechanisms (complaints, due process hearings, mediations, etc.)		Monitoring, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>Develop new forms for tracking Monitoring data, Improvement Plan Progress Report data, &amp; district correspondence.</li> <li>SEP staff will input Improvement Plan Progress Report dates into their calendar and will complete Improvement Plan Progress Report follow-up as scheduled.</li> </ul>	August 2006	Special Education Program staff, Educational Specialist, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Training to districts on revised monitoring system</li> </ul>	September 2007 and annually through 2011	Special Education Program staff, Educational Specialist, National Center for Special Education Accountability Monitoring, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>Update Technical Assistance Manuals such as Surrogate Parent, Extended School Year, IEP, etc.</li> <li>Provide presentations and trainings</li> </ul>	<p>Beginning fall of 2006</p> <p>Winter and Spring 2007</p>	Special Education Program staff, Mountain Plains Regional Resource Center, South Dakota Parent Connection
<ul style="list-style-type: none"> <li>Require technical assistance to all districts/agencies that are not close to compliance by their eighth month Improvement Plan Progress Report.</li> </ul>	2006 and ongoing through 2011	Special Education Program staff, Educational Specialists, Transition Services Liaison Project staff
<ul style="list-style-type: none"> <li>Look at implementing incentives for districts/agencies that close out at 4 months and 8 months.</li> </ul>	2007 and ongoing through 2011	Special Education Program staff, Educational Specialists, Transition Services Liaison Project staff

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100.**

**Overview of Issue/Description of System or Process:**

South Dakota uses the following procedures to respond to signed written complaints. The procedures will be revised pending final Part B regulations.

A complaint is a written signed statement by an individual or organization, including a complaint filed by an individual or organization from another state containing a statement that the state education agency or a school district has violated a requirement of federal or state statutes or regulations that apply to a program and a statement of the facts on which the complaint is based.

In resolving the complaint in which the State Special Education Programs has found a failure to provide appropriate services, the State Special Education Programs, pursuant to its general supervisory authority under Part B of the IDEA, must address:

1. How to remediate the denial of those services, including, as appropriate, the awarding of monetary reimbursement or other corrective action appropriate to the needs of the child; and
2. Appropriate future provision of services for all children with disabilities.

The special education state director appoints a complaint investigation team. The team may conduct an on-site investigation if it determines that one is necessary. The complaint team shall give the complainant the opportunity to submit additional information, either orally or in writing, about the allegations in the complaint. The complaint team makes a recommendation to the special education state director, and after reviewing all relevant information, the special education state director shall determine whether the complaint is valid. The special education

state director shall submit a written report of the final decision to all parties involved, including findings of fact, conclusions, and reasons for final decision.

All complaints must be resolved within 60 calendar days after the receipt of the complaint by the special education state director as stated in this section. An extension of the 60 day time limit may be granted only if exceptional circumstances exist with respect to a particular complaint. This section does not limit any other rights to appeals, including appeal to the state board; however, these appeals may not be used for delay or to extend time limits.

If a written complaint is received that is also the subject of a due process hearing, or contains multiple issues, of which one or more are part of that hearing, the State Special Education Programs must set aside any part of the complaint that is being addressed in the due process hearing, until the conclusion of the hearing. However, any issue in the complaint that is not a part of the due process action must be resolved using the time limit and procedures described in this section.

If an issue is raised in a complaint filed under this section that has previously been decided in a due process hearing involving the same parties:

1. The hearing decision is binding; and
2. The State Special Education must inform the complainant to that effect.

A complaint alleging a district's failure to implement a due process hearing decision must be resolved by the State Special Education Program

**Baseline Data for FFY 2004 (2004-2005): Data collected on Attachment 1**

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	1
(1.1) Complaints with reports issued	1
(a) Reports with findings	1
(b) Reports within timeline	1
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	0
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

**Discussion of Baseline Data:**

South Dakota received one signed, written complaints for FFY 2004. The complaint was investigated and a report issued within the 60 day timeline, findings of facts were issued and a corrective action was completed. South Dakota Special Education Programs, South Dakota Parent Connection and South Dakota Advocacy services work very hard to make sure parents have information on all areas of educating their child with a disability including knowledge of



procedural safeguards. A very active training program for parents of children with disabilities is Partners in Policy Making. Partners in Policymaking is an innovative leadership and advocacy training opportunity designed to involve and empower people with developmental disabilities, parents of children with disabilities and other family members. It requires a serious commitment by each participant during the course of the training, as well as after graduation. The expectation is that each Partner will commit to actively use the skills learned to encourage positive changes in the areas of community awareness, sensitivity, accessibility, and inclusion for people with disabilities. Over 225 individuals have graduated from Partners in Policymaking in South Dakota since the program began in the fall of 1992 through the fall of 2005. An added benefit of the training is that graduates assist others with the knowledge they have gained.

Special Education Programs in partnership with South Dakota Parent Connection have also established the Navigator Program. The purpose of the South Dakota Navigator Program is to provide individualized technical assistance, information, and support services to families and educators caring for children with special education needs. A Navigator Program Coordinator will organize and manage these activities and oversee the “Peer Navigators” located in each of the seven Educational Services Areas (ESAs) as defined by the South Dakota Department of Education. These “Peer Navigators” are recruited from such areas as Partners in Policymaking graduates, experienced educators, and recently retired educational administrators. Goals of the program include:

- Improve family-school collaboration
- Provide an additional mechanism for conflict-resolution at a local level
- Provide resources for educators and parents in areas of technical assistance and leadership development
- Promote the knowledge of benefits derived from increased family involvement to school personnel

Resulting in productive IEP meetings and promoting respectful interactions between families and school personnel in order to make the best decisions regarding each student’s educational program. South Dakota Parent Connection also answers between 200 – 300 calls monthly and has a web-based bulletin board for parents to post questions and get answers.

Special Education Programs feels that because of the efforts of Special Education Programs, South Dakota Parent Connection and South Dakota Advocacy South Dakota parents become better informed each year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.
2006	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for

(2006-2007)	exceptional circumstances.
2007 (2007-2008)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.
2008 (2008-2009)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.
2009 (2009-2010)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.
2010 (2010-2011)	100% of signed written complaints will be investigated and have reports issued within the 60-day timeline, or have documentation of a timeline extension for exceptional circumstances.

**Improvement Activities/Timelines/Resources:**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>South Dakota Special Education Programs staff will review all procedures for conducting complaint investigations.</li> <li>Training and technical assistance is provided to ensure complaint investigators follow the procedural requirements under IDEA.</li> </ul>	2006 and ongoing through 2011	Special Education Programs staff, Mountain Plains Regional Resource Center Contracted Complaint Investigators
<ul style="list-style-type: none"> <li>Special Education Programs will supply a complaint form on the web for easy access by</li> </ul>	Spring 2006	Special Education Program staff

## SPP Template – Part B (3)

## South Dakota State

individuals.		
<ul style="list-style-type: none"> <li>The complaint investigation handbook will be updated following IDEA 2004 final regulations.</li> </ul>	2006 – 2007 school year	Special Education Programs staff, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>A protocol will be maintained by Special Education Programs to ensure timelines and procedures are followed for complaint investigations.</li> </ul>	2006 and ongoing through 2011	Special Education Programs staff
<ul style="list-style-type: none"> <li>The state agency will contract with a regional resource center in the development of a system of complaint investigators who will contract with the state agency to facilitate complaint investigations.</li> </ul>	2006 and ongoing through 2011	Special Education Programs staff, Mountain Plains Regional Resource Center staff
<ul style="list-style-type: none"> <li>Update and disseminate Special Education Programs website and complaint investigation manual.</li> </ul>	2006 and ongoing through 2011	Special Education Programs staff, Mountain Plains Regional Resource Center, Parent Connections
<ul style="list-style-type: none"> <li>Partner with Parent Connections to provide training and materials for parent procedural safeguard workshops.</li> </ul>	2007 and ongoing through 2011	Special Education Programs staff, Mountain Plains Regional Resource Center, Parent Connections

### Revisions, with Justification, to Proposed Targets / Improvement Activities / Timelines / Resources for FFY 2006:

Due to input from our stakeholder's group, Special Education Programs is working on a brochure for the complaint process that would be part of a packet on dispute	2007-2008	Special Education Programs in conjunction with legal counsel, the office of hearing examiners, consultants and stakeholders.
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resolution that includes state complaints, due process hearings – resolution sessions, and mediations.		
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**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**Percent = (3.2(a) + 3.2(b)) divided by (3.2) times 100.**

**Overview of Issue/Description of System or Process:**

South Dakota data reflects that the general supervision procedures for due process hearings identify and correct noncompliance in a timely manner. The limited number of hearings also indicates the State uses the system effectively to ensure the provision of appropriate services to students in need of special education. Procedures will be revised pending final IDEA 2004 language.

The district must have procedures that require either party, parent or district, or the attorney representing a party, to provide to the other party a due process complaint (which must remain confidential).

The party filing a due process complaint must forward a copy of the due process complaint to the State Special Education Programs.

The due process complaint notice must include:

1. The name of the child;
2. The address of the residence of the child;
3. The name of the school the child is attending;
4. In the case of a homeless child or youth (within the meaning of section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)), available contact information for the child, and the name of the school the child is attending;
5. A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
6. A proposed resolution of the problem to the extent known and available to the party at the time.

The State Special Education Programs has developed a model form to assist parents in filing a compliant and due process complaint notice.

A party, parent or district, may not have a hearing on a due process complaint or engage in a resolution session until the party, or the attorney representing the party, files a due process complaint that meets the requirements of this section.

The due process complaint required by this section must be deemed sufficient unless the party, parent or district, receiving the due process complaint notifies the hearing officer and the other party in writing, within 15 days of receipt of the due process complaint, that the receiving party believes the due process complaint does not meet the requirements of this section.

Within five days of receipt of the above notification, the hearing officer must make a determination on the face of the due process complaint of whether the due process complaint meets the requirements of this section, and must immediately notify the parties in writing of that determination.

A party may amend its due process complaint only if:

1. The other party consents in writing to the amendment and is given the opportunity to resolve the due process complaint through a resolution session; or
2. The hearing officer grants permission, except that the hearing officer may only grant permission to amend at any time not later than five days before the due process hearing begins.

The applicable timeline for a due process hearing under Part B shall recommence at the time the party files an amended notice, including the timeline for a resolution session.

If the district has not sent a prior written notice under Part B of IDEA to the parent regarding the subject matter contained in the parent's due process complaint, the district must, within 10 days of receiving the due process complaint, send to the parent a response that includes:

1. An explanation of why the district proposed or refused to take the action raised in the due process complaint;
2. A description of other options that the IEP Team considered and the reasons why those options were rejected;
3. A description of each evaluation procedure, assessment, record, or report the district used as the basis for the proposed or refused action; and
4. A description of the other factors that are relevant to the district's proposed or refused action.

A response by a district under this section shall not be construed to preclude the district from asserting that the parent's due process complaint was insufficient, where appropriate.

Except as provided above, the party receiving a due process complaint must, within 10 days of receiving the due process complaint, send to the other party a response that specifically addresses the issues raised in the due process complaint.

The parent or the school district may initiate a hearing on any matters relating to the identification, evaluation or educational placement of a child or the provision of a free appropriate public education to a child.

The party, parent or district, requesting the due process hearing may not raise issues at the due process hearing that were not raised in the due process complaint unless the other party agrees otherwise.

When a hearing is initiated, the district shall inform the party of the availability of mediation. If the parent is requesting a hearing or requests information on any free or low-cost legal services, the district shall inform the parent of it and any other relevant services available in the area.

A parent or district must request an impartial hearing on their due process complaint within two years of the date the parent or district knew or should have known about the alleged action that forms the basis of the due process complaint, or if the State has an explicit time limitation for requesting such a due process hearing under Part B of IDEA, in the time allowed by State law.

The timeline described above does not apply to a parent if the parent was prevented from filing a due process complaint due to:

1. Specific misrepresentations by the district that it had resolved the problem forming the basis of the due process complaint; or
2. The district's withholding of information from the parent that was required under Part B of IDEA to be provided to the parent.

At a minimum, a hearing officer:

1. Must not be:
  - a. An employee of the State Department of Education or the district that is involved in the education or care of the child; or
  - b. A person having a personal or professional interest that conflicts with the person's objectivity in the hearing;
2. Must possess knowledge of, and the ability to understand, the provisions of IDEA, Federal and State regulations pertaining to IDEA, and legal interpretations of IDEA by Federal and State courts;
3. Must possess the knowledge and ability to conduct hearings in accordance with appropriate, standard legal practice; and
4. Must possess the knowledge and ability to render and write decisions in accordance with appropriate, standard legal practice.

A person who otherwise qualifies to conduct a hearing under this section is not an employee of the agency solely because he or she is paid by the agency to serve as a hearing officer. The State Special Education Programs and district shall keep a list of the persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

Any party to a hearing has the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;

2. Present evidence and confront cross-examine, and compel the attendance of witnesses;
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least 5 business days before the hearing;
4. Obtain a written, or, at the option of the parents, electronic, verbatim record of the hearing; and
5. Obtain written, or, at the option of the parents, electronic findings of fact and decisions.

At least 5 business days prior to a hearing, each party shall disclose to all other parties all evaluations completed by that date and recommendations based on the offering party's evaluations that the party intends to use at the hearing.

A hearing officer may bar any party that fails to comply with the disclosure requirements of this section from introducing the relevant evaluation or recommendation at the hearing without the consent of the other party.

A parent involved the hearings, have the right to:

1. Have the child who is the subject of the hearing present; and
2. Open the hearing to the public.

Subject to this section, a hearing officer must make a decision on substantive grounds based on a determination of whether the child received a FAPE.

In matters alleging a procedural violation, a hearing officer may find that a child did not receive a FAPE only if the procedural inadequacies:

1. Impeded the child's right to a FAPE;
2. Significantly impeded the parents' opportunity to participate in the decision-making process regarding the provision of a FAPE to the parents' child; or
3. Caused a deprivation of educational benefit.

Nothing in this section shall be construed to preclude a hearing officer from ordering a district to comply with procedural requirements in this document.

Nothing in this section shall be construed to preclude a parent from filing a separate due process complaint on an issue separate from a due process complaint already filed.

The record of the hearing and the findings of fact and decisions must be provided at no cost to the parent.

The State Special Education Programs, after deleting any personally identifiable information, shall transmit the findings and decisions to the State advisory panel, and make those findings and decisions available to the public.

A decision made in a hearing is final, except that any party involved in the hearing may appeal the decision through civil action.

The State Special Education Programs and district shall ensure that not later than 45 days after the expiration of the 30 day period regarding a resolution session:



1. A final decision is reached in the hearing; and
2. A copy of the decision is mailed to each of the parties.

**Baseline Data for FFY 2004 (2004-2005):**

SECTION C: Hearing requests	
(3) Hearing requests total	4
(3.1) Resolution sessions	
(a) Settlement agreements	NO 04-05 DATA
(3.2) Hearings (fully adjudicated)	0
(a) Decisions within timeline	0
(b) Decisions within extended timeline	0
(3.3) Resolved without a hearing	4

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	0
(4.1) Resolution sessions	NO 2004- 2005 DATA
(a) Settlement agreements	NO 2004- 2005 DATA
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0

**Discussion of Baseline Data:**

Special Education Programs received 4 due process hearing complaints during the 2004-2005 year. One was dismissed due to the fact that the family left the state before the hearing could take place. Two due process hearing complaints were successfully mediated. One was dismissed at the request of both parties.

South Dakota has a history of limited due process hearings and a strong commitment to resolution before litigation. South Dakota remains at 100% in fully adjudicating due process hearings within the timeline. South Dakota Parent Connection and South Dakota Advocacy services work very hard to make sure parents have information on all areas of educating their child with a disability including knowledge of procedural safeguards. A very active training program for parents of children with disabilities is Partners in Policy Making. Partners in Policymaking is an innovative leadership and advocacy training opportunity designed to involve and empower people with developmental disabilities, parents of children with disabilities and other family members. It requires a serious commitment by each participant during the course of

the training, as well as after graduation. The expectation is that each Partner will commit to actively use the skills learned to encourage positive changes in the areas of community awareness, sensitivity, accessibility, and inclusion for people with disabilities. Over 225 individuals have graduated from Partners in Policymaking in South Dakota since the program began in the fall of 1992. An added benefit of the training is that graduates assist others with the knowledge they have gained.

Special Education Programs in partnership with South Dakota Parent Connection have also established the Navigator Program. The purpose of the South Dakota Navigator Program is to provide individualized technical assistance, information, and support services to families and educators caring for children with special education needs. A Navigator Program Coordinator will organize and manage these activities and oversee the “Peer Navigators” located in each of the seven Educational Services Areas (ESAs) as defined by the South Dakota Department of Education. These “Peer Navigators” are recruited from such areas as Partners in Policymaking graduates, experienced educators, and recently retired educational administrators. Goals of the program include:

- Improve family-school collaboration
- Provide an additional mechanism for conflict-resolution at a local level
- Provide resources for educators and parents in areas of technical assistance and leadership development
- Promote the knowledge of benefits derived from increased family involvement to school personnel

Resulting in productive IEP meetings and promoting respectful interactions between families and school personnel in order to make the best decisions regarding each student’s educational program. South Dakota Parent Connection also answers between 200 – 300 calls monthly and has a web-based bulletin board for parents to post questions and get answers.

Special Education Programs feels that because of the efforts of Special Education Programs, South Dakota Parent Connection and South Dakota Advocacy South Dakota parents become better informed each year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.
2006 (2006-2007)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.
2007	100% of due process hearings will be completed within the 45-day timeline, or

(2007-2008)	have documentation of a timeline extended for exceptional purposes.
2008 (2008-2009)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.
2009 (2009-2010)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.
2010 (2010-2011)	100% of due process hearings will be completed within the 45-day timeline, or have documentation of a timeline extended for exceptional purposes.

**Improvement Activities/Timelines/Resources:**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>The state will monitor the hearing process and timelines to ensure maintenance of 100% adjudication.</li> </ul>	2005 and ongoing through 2011	Special Education Programs staff ,Legal Assistant for the department, Office of Hearing Examiners, Mountain Plains Regional Resource Center staff consultation
<ul style="list-style-type: none"> <li>Update Administrative Rules for South Dakota concerning due process hearings and resolution sessions when final federal regulations are complete.</li> </ul>	Fall 2007	Special Education Programs staff, legal consultant, Advisory Panel, Legislative Research Council
<ul style="list-style-type: none"> <li>Provide training for legal assistant for the department concerning the updated regulations.</li> </ul>	Fall 2006	Special Education Programs staff, Legal Counsel for DOE, Mountain Plains Regional Resource Center
<ul style="list-style-type: none"> <li>Joint training for Districts and parents on procedural safeguards</li> </ul>	Fall 2006 and ongoing through 2011	Special Education Programs staff, Legal Counsel for DOE, Mountain Plains Regional Resource Center, Parent Connections

**Discussion of Revision of Improvement Activity with Justification:**

Due to input from our stakeholder's group, Special Education Programs is working on a brochure for due process hearings, including resolution sessions, that would be part of a packet on dispute resolution that includes state complaints, due process hearings – resolution sessions, and mediations.	2007-2008	Special Education Programs in conjunction with legal counsel, the office of hearing examiners, consultants and stakeholders.
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**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.**

(20 U.S.C. 1416(a)(3(B))

**Measurement:**

**Percent = 3.1(a) divided by (3.1) times 100.**

**Overview of Issue/Description of System or Process:**

South Dakota has a system in place to track hearing requests, timelines and outcomes. As a new requirement of IDEA 2004, South Dakota's procedure addressing hearing requests will require the due process procedures to include resolution sessions. The South Dakota State Department will modify the current process for requesting hearings to include resolution sessions. The resolution sessions are required unless the parent and the school agree to waive the session or go to mediation. The procedures will be revised pending final Part B regulations.

Within 15 days of receiving notice of the parents' due process complaint, and prior to the opportunity for a due process hearing, the district must convene a meeting with the parents and the relevant member or members of the IEP team who have specific knowledge of the facts identified in the due process complaint that:

1. Includes a representative of the district who has decision-making authority on behalf of the district; and
2. May not include an attorney of the district unless the parent is accompanied by an attorney.

The purpose of the meeting is for the parents of the child to discuss their due process complaint, and the facts that form the basis of the due process complaint, so that the district has the opportunity to resolve the complaint.

The meeting described above need not be held if:

1. The parents and the district agree in writing to waive the meeting; or

2. The parents and the district agree to use the mediation process described in this document.

If the district has not resolved the due process complaint to the satisfaction of the parents within 30 days of the receipt of the due process complaint, the due process hearing must occur and all applicable timelines for a due process hearing shall commence.

Except where the parties have jointly agreed to waive the resolution process or to use mediation, the failure of a parent filing a due process complaint to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held.

If a resolution to the dispute is reached at the meeting described above, the parent and district must execute a legally binding agreement that is:

1. Signed by both the parent and a representative of the agency who has the authority to bind the district; and
2. Enforceable in any State court of competent jurisdiction or in a district court of the United States.

If the parent and district execute an agreement, either may void the agreement within 3 business days of the agreement's execution.

**Baseline Data for FFY 2005 (2005-2006):**

(3.1) Resolution sessions	0
(a) Settlement agreements	0

States are not required to establish baseline or targets if the number of resolution sessions is less than 10 in a reporting period.

**Discussion of Baseline Data:**

South Dakota had two requests for due process hearings during the 2005 – 2006 school year. Both parties agreed to waive the resolution session in favor of mediation.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	No targets need to be set if the number of resolution sessions is less than 10
2006 (2006-2007)	No targets need to be set if the number of resolution sessions is less than 10
2007 (2007-2008)	No targets need to be set if the number of resolution sessions is less than 10

2008 (2008-2009)	No targets need to be set if the number of resolution sessions is less than 10
2009 (2009-2010)	No targets need to be set if the number of resolution sessions is less than 10
2010 (2010-2011)	No targets need to be set if the number of resolution sessions is less than 10

**Improvement Activities/Timelines/Resources: No improvement activities required.**

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision****Indicator 19: Percent of mediations held that resulted in mediation agreements.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**Percent = (2.1(a)(i) + 2.1(b)(i)) divided by (2.1) times 100.**

**Overview of Issue/Description of System or Process:**

South Dakota has a system in place for voluntary mediation, available at all levels of disputes and may be waived by either party.

South Dakota data reflects the general supervision procedures for mediation. Trained staff gives priority to meeting the deadlines. The limited number of mediations indicates the state uses the system effectively to ensure the provision of appropriate services to students in need of special education. The procedures will be revised pending final Part B regulations.

The State shall ensure that procedures are established and implemented to allow parties to disputes involved in the proposal to initiate or change the identification, evaluation or education placement of the child or the provision of a free appropriate public education to the child, including matters that arise prior to the filing of a due process hearing, to resolve the disputes through a mediation process.

The mediation procedures must ensure that participation is voluntary on the part of the parties. Mediation may not be used to deny or delay the parent's right to a due process hearing or to deny any other rights afforded under Part B of the Act. It must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques. Mediators are selected on a random basis.

The State Special Education Programs shall maintain a list of individuals who are qualified mediators and knowledgeable in laws and regulations relating to the provision of special education and related services. An individual who serves as a mediator may not be an employee of the school district or State agency providing services to the child. They must



not have a personal or professional conflict of interest. The State will bear the cost of the mediation process.

A person who otherwise qualifies as a mediator is not an employee of a district or State agency solely because he or she is paid by the State Special Education Programs to serve as a mediator.

Each session in the mediation process must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute. An agreement reached by the parties to the dispute in the mediation must be set forth in a written mediation agreement.

Discussions that occur during the mediation process must be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings. The parties to the mediation process may be required to sign a confidentiality pledge prior to the beginning of the process.

If the parties resolve a dispute through the mediation process, the parties must execute a legally binding agreement that sets forth that resolution and that:

1. States that all discussions that occurred during the mediation process will remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding arising from that dispute; and
2. Is signed by both the parent and a representative of the district who has the authority to bind such district.

A written, signed mediation agreement under this section is enforceable in any State court of competent jurisdiction or in a district court of the United States.

If a parent chooses not to use the mediation process, the school district or a State agency providing services to the child may establish procedures to offer the parent and to the district an opportunity to meet, at a time and location convenient to both parties, with a disinterested party, to encourage the use and explain the benefits of the mediation process. This party may be under contract with a parent training and information center, community parent resource center established in the state or with an appropriate alternative dispute resolution entity.

#### Baseline Data for FFY 2004 (2004-2005):

SECTION B: Mediation requests	
(2) Mediation requests total	3
(2.1) Mediations	
(a) Mediations related to due process	3
(i) Mediation agreements	2
(b) Mediations not related to due process	0
(i) Mediation agreements	0

(2.2) Mediations not held (including pending)	1
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**Discussion of Baseline Data:**

South Dakota had three mediation sessions based on due process complaints during the 2004-2005 year. Two were successfully mediated and one was dismissed at the request of both parties.

With regards to mediation, South Dakota's data reflects an effective mediation system, with all mediations reported resulting in successful agreements. South Dakota also makes informal mediation (not related to a hearing request) available as well. The impact of the mediation system can be seen in the due process hearing data, which reflects that all hearing requests were successfully mediated. Special Education Programs,

South Dakota Parent Connection and South Dakota Advocacy work very hard to make sure parents have information on all areas of educating their child with a disability including knowledge of procedural safeguards. South Dakota Advocacy has estimated that between 2002 through 2004 approximately 1200 people have received some type of training regarding special education. A very active training program for parents of children with disabilities is Partners in Policy Making. Partners in Policymaking is an innovative leadership and advocacy training opportunity designed to involve and empower people with developmental disabilities, parents of children with disabilities and other family members. It requires a serious commitment by each participant during the course of the training, as well as after graduation. The expectation is that each Partner will commit to actively use the skills learned to encourage positive changes in the areas of community awareness, sensitivity, accessibility, and inclusion for people with disabilities. Over 225 individuals have graduated from Partners in Policymaking in South Dakota since the program began in the fall of 1992. An added benefit of the training is that graduates assist others with the knowledge they have gained.

Special Education Programs in partnership with South Dakota Parent Connection have also established the Navigator Program. The purpose of the South Dakota Navigator Program is to provide individualized technical assistance, information, and support services to families and educators caring for children with special education needs. A Navigator Program Coordinator will organize and manage these activities and oversee the "Peer Navigators" located in each of the seven Educational Services Areas (ESAs) as defined by the South Dakota Department of Education. These "Peer Navigators" are recruited from such areas as Partners in Policymaking graduates, experienced educators, and recently retired educational administrators. Goals of the program include:

- Improve family-school collaboration
- Provide an additional mechanism for conflict-resolution at a local level
- Provide resources for educators and parents in areas of technical assistance and leadership development
- Promote the knowledge of benefits derived from increased family involvement to school personnel

Resulting in productive IEP meetings and promoting respectful interactions between families and school personnel in order to make the best decisions regarding each student's educational program. South Dakota Parent Connection also answers between 200 – 300 calls monthly and has a web-based bulletin board for parents to post questions and get answers.

Special Education Programs feels that because of the efforts of Special Education Programs, South Dakota Parent Connection and South Dakota Advocacy South Dakota parents become better informed each year.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	No target necessary when state has less than 10 mediations
2006 (2006-2007)	No target necessary when state has less than 10 mediations
2007 (2007-2008)	No target necessary when state has less than 10 mediations
2008 (2008-2009)	No target necessary when state has less than 10 mediations
2009 (2009-2010)	No target necessary when state has less than 10 mediations
2010 (2010-2011)	No target necessary when state has less than 10 mediations

**Improvement Activities/Timelines/Resources:**

Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>South Dakota tracks mediations to ensure timelines and procedures are followed.</li> </ul>	Ongoing data collection and analysis from 2006-2011	Mediation training for Special Education Programs staff, Legal counsel for the Special Education Programs staff, Office of Hearing Examiners, MPRRC staff

## SPP Template – Part B (3)

## South Dakota State

<ul style="list-style-type: none"> <li>Conduct trainings for school personnel and parents to utilize the Navigator Program. This program specializes in connecting a resource person with parents/guardians to assist them through the IEP process.</li> </ul>	Fall 2006 and ongoing through 2011	South Dakota Parent Connection, Special Education Programs staff
<ul style="list-style-type: none"> <li>Train district representatives in conflict resolution to assist with the resolution session requirement of IDEA 2004</li> </ul>	September 2006 and ongoing through 2011	Special Education Programs staff, SD Parent Connection, CADRE
<ul style="list-style-type: none"> <li>Recruit additional mediators</li> </ul>	Summer 2006 and ongoing through 2011	Special Education Programs staff, Education Service Agencies, Educational Specialists
<ul style="list-style-type: none"> <li>Conduct training for new and continuing mediators</li> </ul>	Summer 2006 and ongoing through 2011 as needed	Contract mediation trainers
<ul style="list-style-type: none"> <li>Data manager has created step by step protocol for the collection of child count data along with other data collections and reporting.</li> </ul>	February 2006 and updates on-going as data collection changes	Special Education Staff, Office of Data Collection Staff
<ul style="list-style-type: none"> <li>All districts are sent data on State Performance Plan/Annual Performance Report to be reviewed and verified to ensure all data reported is accurate for state and district reporting</li> </ul>	January 2007 and on-going	Special Education Programs, Mountain Plains Regional Resource Center

**Part B State Performance Plan (SPP) for 2005-2010****Overview of the State Performance Plan Development:**

See page 1 of the State Performance Plan.

**Monitoring Priority: Effective General Supervision Part B / General Supervision**

**Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.**

(20 U.S.C. 1416(a)(3)(B))

**Measurement:**

**State reported data, including 618 data and annual performance reports, are:**

- a. Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and**
- b. Accurate (describe mechanisms for ensuring accuracy).**

**Overview of Issue/Description of System or Process:**

South Dakota has a state wide reporting system, SIMS, which provides data for February 1 child count and exiting reports. South Dakota requires Districts to submit discipline data at the end of each school year. Personnel data is submitted annually through Special Education Personnel Summary. South Dakota submits the Annual Performance Report accurately and meets required time lines. South Dakota was chosen as one of the first states to enter data through EDEN because of past data accuracy and on time submission. South Dakota ensures accuracy by providing training on data entry.

Each school district reports through the Student Information Management System (SIMS) annually. The SIMS is the statewide online system used to collect information about all students in South Dakota schools. Districts submit data through the student data records. Each student has a 9 digit unique student identifier number. The unique student identifier number allows the SIMS system to collect and sort data without duplication errors. Each school district in South Dakota has a SIMS coordinator in place.

**Baseline Data for FFY 2004 (2004-2005):**

## Timelines for 618 data and APR

South Dakota has been collecting and submitting timely 618 data reports. The Child Count, APR and LRE table 1 and table 3 have been submitted on or before February 1 each year. Exit table # 4 Personnel table #2 and Discipline #5 have been submitted on or before November 1<sup>st</sup> each of the previous years. South Dakota's data collection manager position has been vacant since August 2005. The position was filled October 24, 2005. In order to give adequate time for training and familiarization with the data collection process South Dakota requested and received an extension until December 1, 2005 for reporting Exit table # 4 Personnel table #2 and Discipline #5 for the November 1, 2005 collection.

## Accuracy of data

South Dakota was notified by the U.S. Office of Planning, Evaluation and Policy Development that it was one of the first states excused from traditional reporting of IDEA data to U.S. Department of Education (ED) due to the high quality of South Dakota's EDEN submissions for SY 2003-04. South Dakota qualified to supply the data for the Report of Children with Disabilities Receiving Special Education under Part B (Table 1) for SY 2005-06(OMB #1820-0043) and Exiting Special Education During the School Year (OMB number 1820-0521) exclusively through the Education Data Exchange Network (EDEN).

Due to the hiring of a new data manager for the South Dakota Department of Education, Special Education Programs may not be able to submit data through EDEN. South Dakota's submission will depend upon the training of the data manager on the EDEN system however; South Dakota will continue to submit through the normal process.

**Discussion of Baseline Data:**

South Dakota Special Education Programs will continue to submit timely and accurate data collection and submission.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100% of required data reports will be accurate and 100% will be submitted on time.
2006 (2006-2007)	100% of required data reports will be accurate and 100% will be submitted on time.
2007 (2007-2008)	100% of required data reports will be accurate and 100% will be submitted on time.
2008	100% of required data reports will be accurate and 100% will be submitted on

(2008-2009)	time.
2009 (2009-2010)	100% of required data reports will be accurate and 100% will be submitted on time.
2010 (2010-2011)	100% of required data reports will be accurate and 100% will be submitted on time.

**Improvement Activities/Timelines/Resources:**

Improvement Activities	Timelines	Resources
<ul style="list-style-type: none"> <li>Training for new data manager</li> </ul>	Beginning October 24, 2005 / on going through 2007	Westat data collection training video, Part B/C data managers conference, Harcourt training on assessment data, training with Infinite Campus on state wide student management collection system (SIMS)
<ul style="list-style-type: none"> <li>Training on data entry for district SIMS coordinators</li> </ul>	2006 and ongoing through 2011	Office of Finance and Management staff, Infinite Campus, Special Education Programs staff
<ul style="list-style-type: none"> <li>Special Education Program will obtain previous, current and future data from data manager; to be stored on a common shared drive. (SPED Profiles)</li> </ul>	Spring 2006 and ongoing through 2011	Special Education Program staff, Office of Finance and Management staff
<ul style="list-style-type: none"> <li>Create a timeline for all parties involved who collect data; to ensure timely and accurate data collection</li> </ul>	Summer 2006 and updated annually through 2011	Special Education Program staff, district representatives, Office of Finance and Management staff

**2006/2007 Post School Status of Special Education  
Graduates, SD Department of Education Indicator  
#14****(Appendix A)**

*Note: Teacher will complete this prior to student's exit from High School and send information to secured DOE/SEP website, Pierre, S.D.*

1. Graduate's First Name: \_\_\_\_\_
2. Middle Name (optional): \_\_\_\_\_
3. Last Name: \_\_\_\_\_
4. SIMS # \_\_\_\_\_

*Note: Include the student's name whether they graduated from high school with a diploma, certificate of completion, aged out, dropped out or exited in an optional manner.*

5. Address: \_\_\_\_\_  
\_\_\_\_\_

6. Birth Date: (Month/Day/Year) \_\_\_\_/\_\_\_\_/\_\_\_\_

7. Telephone #: \_\_\_\_\_ 8. Cell # \_\_\_\_\_ 9. e-mail \_\_\_\_\_

10. School District: \_\_\_\_\_ 11. High School: \_\_\_\_\_

12. Exit Status: ☐ (1) Regular Diploma ☐ (2) Aged out ☐ (3) Certificate of Completion (Not offered in SD)

☐ (4) Graduated with other Diploma [GED] ☐ (5) Dropped out

☐ (6) Other \_\_\_\_\_

*(NOTE: Students meeting graduation requirements should be marked "diploma." Students exiting without a diploma at age 21 should be marked "aged out.")*

13. Gender: ☐ (1) Male ☐ (2) Female

14. Race/Ethnicity: (Select one)



<input type="checkbox"/>	(1)	Asian	<input type="checkbox"/>	(5)	Native Hawaiian/Pacific Islander
<input type="checkbox"/>	(2)	Black/African American	<input type="checkbox"/>	(6)	White
<input type="checkbox"/>	(3)	Hispanic/Latino American	<input type="checkbox"/>	(7)	Two or more races
<input type="checkbox"/>	(4)	American Indian/Native Alaskan	<input type="checkbox"/>	(8)	Not disclosed

**15. Disability:** *(Refer to list below & write in the disability status/code.)* \_\_\_\_\_

- |                                      |                            |                              |
|--------------------------------------|----------------------------|------------------------------|
| 01 – Emotional/behavioral disability | 07 – Multiple disabilities | 12 – Communication disorders |
| 03 – Orthopedic impairments          | 08 – Deafness              | 13 – Autism                  |
| 04 – Health impairments              | 09 – Hearing impairments   | 14 – Traumatic brain injury  |
| 05 – Specific learning disabilities  | 10 – Visual impairments    |                              |
| 06 – Mental retardation              | 11 – Deaf-Blindness        |                              |

**From the Transition Plan in the final IEP, please obtain answers to #16 and #17.**

**16. Anticipated post school outcome(s):** *(Check all that apply.)*

<input type="checkbox"/>	(1)	University/4-year college	<input type="checkbox"/>	(5)	Supported employment	<input type="checkbox"/>	(9)	Left blank
<input type="checkbox"/>	(2)	Community/2-year college	<input type="checkbox"/>	(6)	Military	<input type="checkbox"/>	(10)	Not applicable
<input type="checkbox"/>	(3)	Vocational/technical college	<input type="checkbox"/>	(7)	Supported living	<input type="checkbox"/>	(11)	Other: _____
<input type="checkbox"/>	(4)	Employment	<input type="checkbox"/>	(8)	Independent living			

**17. Which of the following linkages with adult services were recommended for the student at graduation?** *(Check all that apply.)*

<input type="checkbox"/>	(1)	Division of Vocational Rehabilitation	<input type="checkbox"/>	(5)	Mental health
<input type="checkbox"/>	(2)	Division of Developmental Disabilities	<input type="checkbox"/>	(6)	Adjustment Training Center
<input type="checkbox"/>	(3)	Disabled Student Services (college)	<input type="checkbox"/>	(7)	Not applicable
<input type="checkbox"/>	(4)	Social Security (SSI/SSDI)	<input type="checkbox"/>	(8)	Other: _____

18. Did this student take the most recent statewide assessment (during junior year—or if student dropped out before junior year, during eighth grade)? Read each line 13a to 13e and enter one of the following codes:

☐ (1) Yes   ☐ (2) No   ☐ (3) Don't know

☐ (13a) Regular assessment with no accommodations

☐ (13b) Regular assessment with accommodation

☐ (13c) Alternate assessment against grade level achievement standards **(Not available in SD for 06/07)**

☐ (13d) Alternate assessment against alternate achievement standards

☐ (13e) Alternate assessment against modified achievement standards (**Not available in SD for 06/07**)

19. Was this student identified as an English Language Learner (ELL) during the student's last year of school?

☐ (1) Yes    ☐ (2) No    ☐ (3) Don't know

**20. During high school, did this student participate in any of the following:**

- ☐ **Project Skills,**
- ☐ **Youth Leadership Forum,**
- ☐ **Catch the Wave,**
- ☐ **Self-advocacy training**

21. In the last year of high school, does/did the student work in any of the following? (check each option that applies)

☐ (15a) Volunteer

☐ (15b) Work experience/work study

☐ (15c) Competitive employment

☐ (15d) Don't know

**22. How many year(s) of math classes did this student complete during high school?**

☐ (1) One    ☐ (2) Two    ☐ (3) Three    ☐ (4) Four

23. Did this student complete at least one semester of Algebra?

☐ (1) Yes    ☐ (2) No

23b. Which Algebra was taken:

- ☐ (a) **Algebra with non-disabled peers**
- ☐ (b) **Modified algebra separate from non-disabled peers.**

23c. What grade did the student receive in Algebra?

☐ (1) A    ☐ (2) B    ☐ (3) C    ☐ (4) D    ☐ (4) F

**CONTACT INFORMATION AFTER LEAVING HIGH SCHOOL**

**Family member name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Home Phone:** \_\_\_\_\_  
**Cell Phone:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**Family member name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Home Phone:** \_\_\_\_\_  
**Cell Phone:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**Best Friend name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**Home Phone:** \_\_\_\_\_  
**Cell Phone:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**(Appendix B)**

**Note:** This survey will be completed AFTER the student's exit from High School via a phone survey. Phone survey will be completed between April and June the year following exit of High School

**Telephone Interview**

**Graduate's Name:**

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**High School last attended:**

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**17. Status of telephone interview:**   ☐ (1) Completed   ☐ (2) Not completed

*(Conduct interview with graduate or a family member. Indicate person interviewed below.)*

**17a. Person interviewed:**   ☐ (1) Graduate   ☐ (2) Family member   ☐ (3) Other

***(SURVEY INTRODUCTION SCRIPT)***

"Hello, I'd like to speak with \_\_\_\_\_. My name is \_\_\_\_\_. I am calling for the \_\_\_\_\_ School District. We are conducting a study on last year's graduates. I'd like to ask you how \_\_\_\_\_ is doing. All information is strictly confidential. This will only take a few minutes."

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**NOTE:** Only ask the following questions [17a & 17b] of those student exiters who "Dropped out" or who "Dropped out other" from data collected from Appendix A. Otherwise go on to question 18.

**17a. It was noted on information collected from your school during last year that you had dropped out of school. Did you return to high school?**   ☐ yes   ☐ no   *[If student responds "no" ask 17b. If student responds "yes" go to 18]*

**17b. Which of the following are reasons you chose not to return to school**

- ☐ Academic difficulty  
☐ Economic e.g., needed to work  
☐ Social/Interpersonal difficulties  
☐ Health reasons  
☐ Independent Living  
☐ Other \_\_\_\_\_

**POSTSECONDARY SCHOOL SECTION****18. Has \_\_\_\_\_ ever been enrolled in any type of post-secondary school or training program?**

- ☐ (1) Yes    ☐ (2) No    ☐ (3) Don't know

*(IF YES, record school name, status, and type.)*

**18a. School Name:** \_\_\_\_\_

**18b. Status:** ☐ (1) Full time    ☐ (2) Part time    ☐ (3) Don't know

**18c. Type:** *(Check box below.)*

<input type="checkbox"/> (1)	University/4-year college	<input type="checkbox"/> (6)	Certification program (GED)
<input type="checkbox"/> (2)	Community/2-year college	<input type="checkbox"/> (7)	Union apprenticeship
<input type="checkbox"/> (3)	Vocational/technical college	<input type="checkbox"/> (8)	Employment training (Job Corps)
<input type="checkbox"/> (4)	Military	<input type="checkbox"/> (9)	Don't know
<input type="checkbox"/> (5)	Vocational training program	<input type="checkbox"/> (10)	Other: _____

**19. Is \_\_\_\_\_ currently enrolled in any type of post-secondary school or training program?**

- ☐ (1) Yes    ☐ (2) No    ☐ (3) Don't know

☐ If yes, Full time (12+ credit hours)      ☐ If yes, Part time (fewer than 12 credit hours)

*(IF YES, record school name and type.)*

**19a. School Name:** \_\_\_\_\_

**19b. Type:** *(Check box below.)*

<input type="checkbox"/>	(1)	University/4-year college	<input type="checkbox"/>	(6)	Certification program (GED)
<input type="checkbox"/>	(2)	Community/2-year college	<input type="checkbox"/>	(7)	Union apprenticeship
<input type="checkbox"/>	(3)	Vocational/technical college	<input type="checkbox"/>	(8)	Employment training (Job Corps)
<input type="checkbox"/>	(4)	Military	<input type="checkbox"/>	(9)	Don't know
<input type="checkbox"/>	(5)	Vocational training program	<input type="checkbox"/>	(10)	Other: _____

If "yes" to 18 and/or 19 skip to 21, If "no" to 18 and/or 19 ask question 20
--

**20. "What do you believe to be the reason that you have not enrolled in post-secondary education since high school?" (check up to three reasons. If more than three are mentioned, ask/help the student to pick the most important ones.)**

- ☐ (20a) Lack of postsecondary opportunities in the immediate locale
- ☐ (20b) Student lacks necessary skill/qualifications to enter postsecondary education
- ☐ (20c) Student lacks transportation
- ☐ (20d) Student has not received necessary services from community agencies (e.g., VR)
- ☐ (20e) Student is working
- ☐ (20f) Student has personal/family obligations that preclude going to postsecondary education
- ☐ (20g) Student does not want to go to postsecondary education
- ☐ (20h) Student has health problems that preclude going to postsecondary education
- ☐ (20i) Student believes they cannot afford to go to school.

**21. Did \_\_\_\_\_ make any contact with an adult service agency, such as Division of Vocational Rehabilitation, Division of Developmental Disabilities, etc.?**

- ☐ (1) Yes    ☐ (2) No    ☐ (3) Don't know

**(IF YES, mark agencies contacted. NOTE: this does not necessarily mean the graduate is receiving services, but has contacted the agency.)**

21a. Agency Type: *(Check all that apply.)*

<input type="checkbox"/>	(1)	Division of Vocational Rehabilitation
<input type="checkbox"/>	(2)	Division of Developmental Disabilities
<input type="checkbox"/>	(3)	Disabled Student Services (college)
<input type="checkbox"/>	(4)	Mental health
<input type="checkbox"/>	(5)	Yes, but don't know agency name
<input type="checkbox"/>	(6)	Other: _____

**EMPLOYMENT SECTION**22. Does \_\_\_\_\_ currently work for pay? ☐ (1) Yes ☐ (2) No ☐ (3) Don't know☐ (22a) Competitive Employment for pay ---Full Time (35+ hours)☐ (22ai) Competitive Employment for pay---Part Time (less than 35 hours)☐ (22aai) Are you working only one job??? Yes \_\_\_\_\_ No \_\_\_\_\_☐ (22aiii) If no, how many other jobs and number of hours each?? # of jobs \_\_\_\_\_ Hrs/job \_\_\_\_\_☐ (22b) Competitive Employment as a volunteer or in a training capacity☐ (22c) In the Military \_\_\_\_\_ (branch)☐ (22d) Family member's home or business☐ (22e) Sheltered Employment for workers with Developmental Disabilities☐ (22f) Supported Employment program in community for workers with Developmental Disabilities☐ (22g) Working while incarcerated☐ (22gi) Work Study--college☐ (22h) Other \_\_\_\_\_*(IF YES to 21., complete following.)*

22i. Employer (*business*) name: \_\_\_\_\_

22j. Number of hours per week: \_\_\_\_\_

22k. How long have you been employed with this employer? \_\_\_\_\_

22l. Is this the only employer you have had since graduations? ☐ (1) Yes ☐ (2) No

22m. Wage amount: \$\_\_\_\_\_

22n. Wage period (*Check the box that applies to the wage amount in 21k.*)

<input type="checkbox"/>	(1)	Hourly	<input type="checkbox"/>	(3)	Monthly	<input type="checkbox"/>	(5)	Other:_____
<input type="checkbox"/>	(2)	Weekly	<input type="checkbox"/>	(4)	Annually	<input type="checkbox"/>	(6)	Don't know

*(IF NO to 22., state the following and complete as directed)***23. “You said that you have not worked since high school. Why not? (check up to three reasons. If more than three are indicated, ask/help student to pick the three most important ones)**☐ (23a) Lack of employment opportunities in the immediate area☐ (23b) Lacks necessary employment skills☐ (23c) Lacks transportation☐ (23d) Has not received necessary services from community agencies (e.g., VR)☐ (23e) Student is enrolled in school☐ (23f) Student has family obligations☐ (23g) Student does not want to work☐ (23h) Student believes he/she would lose benefits (e.g., SSI/disability/unemployment)☐ (23j) Student has health issues that preclude working☐ (23k) Other \_\_\_\_\_



24. Does \_\_\_\_\_ currently live with family? ☐ (1) Yes ☐ (2) No

25. Is \_\_\_\_\_ covered by family's health insurance? ☐ (1) Yes ☐ (2) No ☐ (3) Don't know

*(IF NO or DON'T KNOW to 24, complete the following.)*

24a. Is \_\_\_\_\_ covered by any other insurance (e.g., employment benefits, Medicaid, SSI, etc.)? ☐ (1) Yes ☐ (2) No ☐ (3) Don't know

*(IF YES)* 24b. Type of Insurance:

\_\_\_\_\_

### ***Final Question***

25. "I am going to read a list of areas where young people sometimes have problems. Usually, there are programs and services in every community that help people with these problems. Let me know if you want more information about how to contact them". (check only one option for each service)

25a. **Employment** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25b. **Living in the Community** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25c. **Education** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25d. **Finances** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25e. **Medical Care** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25f. **Transportation** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25g. **Legal** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25h. **Social/Leisure** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

25i. **Other** ☐ (1) No ☐ (2) Yes, more information ☐ (3) Yes, Crisis

*Specify* \_\_\_\_\_

Additional Comments:

All surveys for Indicator #14 to  
be completed from:  
**April-September year following graduation**